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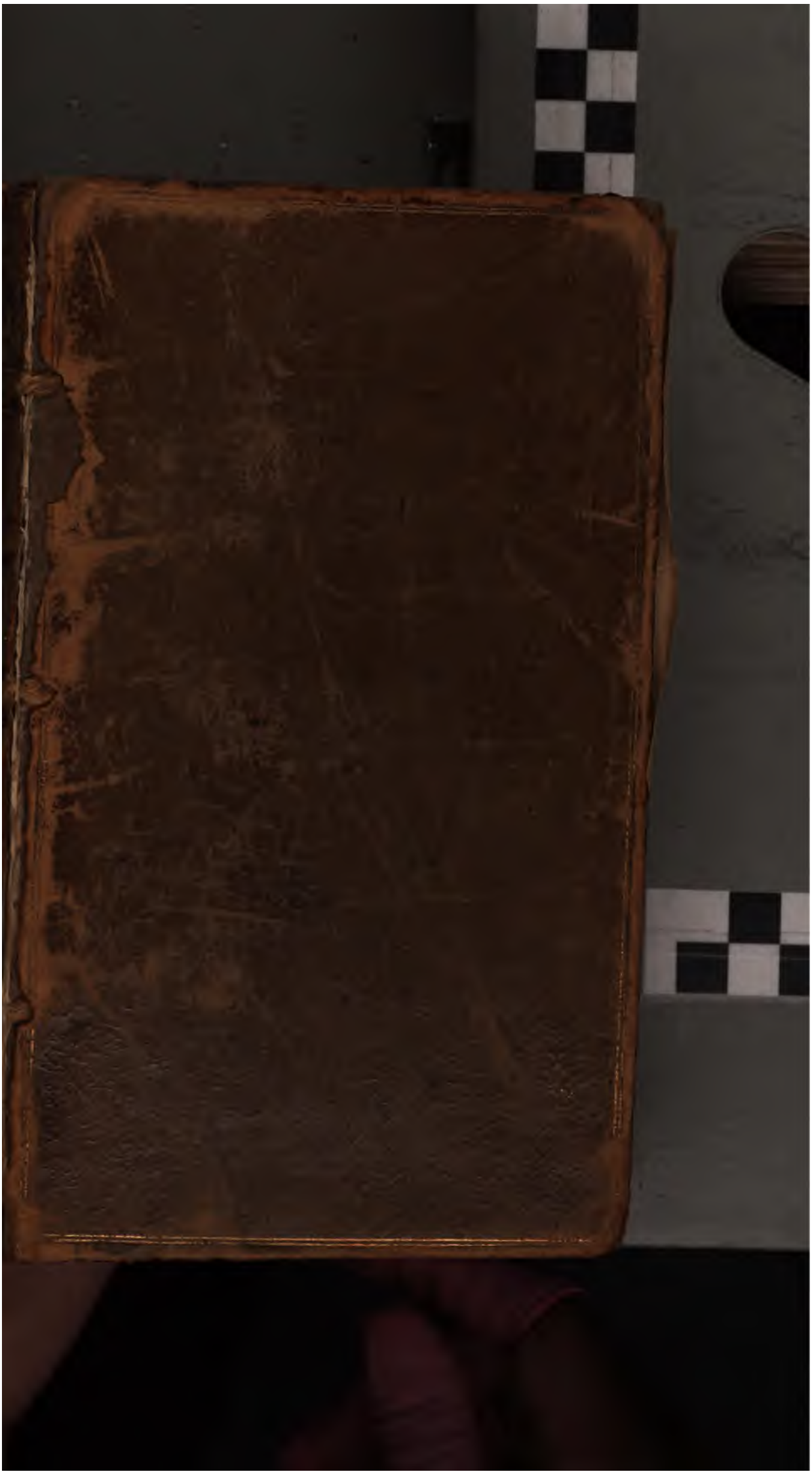
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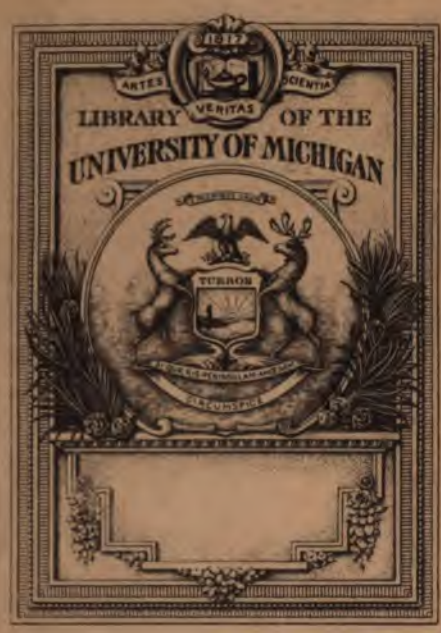
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Ex dono R. Clements Esq
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SPEECHES AND DEBATES IN THE *Houſe of Commons.* DURING The Seventh Seſſion of the Eighth Parliament of *Great Britain.*

November 18, 1740.

HIS Majeſty came to the Houſe of Peers in the uſual State, and opened the Seſſion with a moſt gracious Speech from the Throne, acquainting his Parliament, That ſtrong Squadrons were got ready, and ordered to ſail upon important Services, both in the Weſt-Indies and Europe, with as much Expedition as the Nature of thoſe Services, and the Manning of the Ships would admit: That a very conſiderable Body of Land-Forces was embarked, which is to be joined by a great Number of his Subjects raiſed in America. And all Things neceſſary for tranſporting the Troops from hence, and carrying on the deſigned Expedition, were a long time in Readineſs, and

Anno 14, Geo II. 1740.

Abſtract of the King's Speech.

o 14, Geo 1740.

waited only for an Opportunity to purſue the intended Voyage. That the ſeveral Incidents, which have happened in the mean time, have had no Effect upon him, but to confirm him in his Reſolutions, and to determine him to add Strength to his Armaments, &c. That the Court of Spain having already felt ſome Effects of our Reſentment, began to be ſenſible, that they ſhould be no longer able, alone, to defend themſelves againſt the Efforts of the Britiſh Nation. And, if any other Power, agreeable to ſome late extraordinary Proceedings, ſhould interpoſe, and attempt to preſcribe or limit the Operations of War againſt his declared Enemies, the Honour and Intereſt of his Crown and Kingdoms muſt call upon us to loſe no Time, in putting ourſelves into ſuch a Condition, as may enable us to repel any Inſults, and to fruſtrate any Deſigns formed againſt us, &c. That the Death of the late Emperor opens a new Scene in the Affairs of Europe. And that it was impoſſible to determine what Turn the Policy, Intereſt, or Ambition of the ſeveral Courts may lead them to take in this critical Conjuncture. That it ſhall be his Care to obſerve their Motions, and to adhere to the Engagements he is under, to maintain the Balance of Power, and the Liberties of Europe, &c. That he had ordered Eſtimates for the Service of the enſuing Year to be prepared, and laid before them. That ſome Augmentations will be neceſſary, not only for carrying on the preſent War with Vigour, but alſo to put ourſelves in a Condition of being prepared for ſuch Events, as may ariſe in this uncertain State of Europe, &c. That the Scarcity of Corn, which has happened in many Countries, had induced ſeveral Powers to make extraordinary Proviſions, to obviate the ill Effects of that Misfortune: That though in many Parts of this Kingdom, the Harveſt has proved more favourable, yet common Prudence calls upon us to provide againſt the Approach of ſuch a Calamity. He therefore earneſtly recommended it to them, to conſider of ſome good Law, to prevent this growing Miſchief. He alſo recommended to them, a Bill for the more ſpeedy Manning the Fleet in time of War, &c.

Addreſs oted.

Whereupon the Commons reſolved, That an humble Addreſs be preſented to his Majeſty, to congratulate him on his ſafe Return to theſe his regal Dominions, &c. And to aſſure his Majeſty, that this Houſe will ſtand by and ſupport him, againſt all Attempts made in Violation of the Faith of Treaties, &c. And a Committee was appointed to draw up an Addreſs agreeable thereto, &c.

It was moved, humbly to addreſs his Majeſty, That he would

would be pleaſed to order an Account to be laid before them, in what Manner the Sums granted laſt Seſſion for the Service of the preſent Year had been diſpoſed of, which after Debate paſſed in the Negative; Ayes 157, Noes 226*.

The 19th. Reſolved, that this Houſe will receive no Petition for private Bills after the 21ſt Day of January next.

Ordered, That the Houſe be called over on the fourth of December.

The 20th. The Houſe went in a Body to addreſs his Majeſty.

Mr. Speaker reported his Majeſty's Anſwer to their Addreſs of Yeſterday.

Read a firſt Time, a Bill to prohibit for a limited Time the Exportation of Corn, and other Proviſions out of Great Britain, Ireland, and his Majeſty's Plantations in America.

A Motion was made, and the Queſtion put, that the ſaid Bill be printed, which paſſed in the Negative.

The 24. Received the Report of laſt Friday's Reſolution. And reſolved, *Nemine contradicente*, that a Supply be granted to his Majeſty.

Ordered an Eſtimate of the Ordinary of the Navy Guards, Garriſons, Land-Forces, &c. to be laid before them.

Ordered, That the Bill to prohibit the Exportation of Corn, &c. be read a ſecond Time to morrow; on a Diviſion, Ayes 84, Noes 58.

Ordered an Account how the Monies granted laſt Seſſion have been diſpoſed of, to be laid before them.

The 25th. Reſolved, *Nemine contradicente*, That the Thanks of this Houſe be given to Vice-Admiral Vernon, for the Services he has done to his King and Country in the Weſt-Indies.

Reſolved, *Nemine contradicente*, That his Majeſty be addreſſed to order an Embargo to be forthwith laid upon all Ships laden with Corn, Grain, Starch, Rice, Beef, Pork, and other Proviſions, to be exported to foreign Parts.

Read a ſecond Time the Bill to prohibit the Exportation of Corn, &c. And after Debate committed it for this Day ſe'en-night.

Received a Petition of Richard Partridge, Agent for Penſylvania, and alſo Agent for New-Jerſey, againſt the Corn Bill, which was referred to the ſaid Committee.

* *This Motion was then rejected as irregular; but afterwards an Addreſs of the ſame Nature was preſented to his Majeſty.*

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The 26th. Received a Petition of the Merchants of London, againſt the Bill for prohibiting the Exportation of Corn, &c, referred to the Committee.

Ordered, That the proper Officer do lay before this Houſe a Liſt of the Navy, as it ſtood on the 29th of September, 1739. With an Account of how many have been loſt, decayed or rebuilt, and what remain.

Alſo a Liſt of the Navy as it ſtood on the 18th Inſtant.

Alſo an Account of what Ships have been employed from June 1ſt, 1739, to November 1ſt, 1740. as Cruiſers or Convoys, with their Continuance thereon, and the Succeſs they have met with, diſtinguiſhing each Ship taken or retaken from the Enemy.

Reſolved to addreſs his Majeſty for Copies of all Applications which have been made to the Admiralty, &c. for Cruiſers to be appointed for Protection of our Trade.

Reſolved to addreſs his Majeſty for an Account of all Orders given ſince February 1ſt, 1737. relating to the fitting out, and ſailing of any of his Majeſty's Squadrons, with the Dates of ſuch Orders, &c.

Ordered, An Account of all Orders given for raiſing and embarking Land-Forces and Marines for the Lord Cathcart's Expedition to America, &c. to be laid before them.

Reſolved, That his Majeſty be addreſſed for Copies of all Letters relating to a Supply of Ships, Men, Stores, Ammunition, &c. written to, or received from Vice Admiral Vernon, by either of the Secretaries of State, the Commiſſioners of the Admiralty, or the Navy. As alſo for an Account of what Stores, Ammunition, &c. were contracted for, and ſent to the ſaid Admiral at Jamaica.

Reſolved, That his Majeſty be addreſſed for Copies of all Letters that have been written, or Repreſentations made to the Commiſſioners of the Admiralty, relating to Stores, Proviſions, &c. for the Uſe of the Fleet lately under the Command of Sir John Norris.

Ordered, That Copies of the monthly Returns of Seamen, with the Number of the Sick, what died, or deſerted, and what cured ſince the 10th of July, 1736. be laid before them.

Ordered, An Account to be laid before them, of what Stores, Ammunition, Proviſions, &c. were ſent with, or have been ſent to Rear-Admiral Haddock. And alſo Copies of all Letters, as relate to a Supply of Ships, Men, Stores, &c. written to, or received from Rear-Admiral Haddock, &c.

The 27th. Reſolved, That his Majeſty be addreſſed for

Copies

Copies of all Papers relating to the opening of a Trade thro' Ruſſia to Perſia, &c. Anno 14, Geo. II. 1740.

Received the Report of Yeſterday's Reſolution on the Supply, viz. Reſolved, That 40,000 Men be employed for Sea-Service for 1741. And that 4l. per Man per Month be allowed for maintaining them, including the Ordnance for Sea-Service. And agreed to the ſame. 40000 Seamen voted.

The 28th. In a grand Committee on Ways and Means, reſolved, That 4s. in the Pound be granted to his Majeſty, upon Lands, Tenements, Hereditaments, Penſions, Offices, and perſonal Eſtates in England, Wales, and the Town of Berwick upon Tweed, for the Service of the Year 1741. And a 4s. Land-Tax.

Dec. 1. Agreed to the Report of the above Reſolution; and ordered in a Bill accordingly.

Received ſeveral Petitions from the Agents of America, and South-Carolina, againſt the Corn-Bill.

Read a firſt time the Land Tax Bill: after which Mr. Thompſon complained of a printed Paper he had received at the Door, which was read as follows:

Conſiderations upon the Embargo on Proviſion of Victual.

It is to be conſidered, whether the Intereſt of Contractors for Proviſions for the Public, was not the Motive which firſt ſtarted the Notion of an Embargo upon Victual, and whether the ſame Intereſt be not now a grand, tho' ſecret Motive of its Continuance *. Theſe Contractors, being very ſenſible, that the Demand Abroad, for Iriſh and Engliſh Beef, muſt greatly enhance the Price, and that there was no way for them to keep it down, but by endeavouring to confine theſe Commodities to their own Market, had Addreſs to effect their End in Part, by obtaining the Embargo in Ireland, which they have good Reaſon to labour to have continued there, and farther extended: For thus they will become abſolute Maſters over a great Part of the Landholders

* *The Houſe may have a very curious and ſurpriſing Knowledge of this Tranſaction, by ordering the proper Officers to lay before them the Contracts made in the Years* 1739 *and* 1740 *by the Victualling Office, together with the Papers and Applications which relate to this Affair, as far as it concerns the Iriſh Proviſions, delivered or made to the ſaid Commiſſioners for Victualling, the Lords of the Admiralty, and ſome other Offices. Which, if fairly obtained, will enable the Houſe to judge, whether a Care and Tenderneſs to two Contractors have not plainly been the ſole and true Cauſe (whatever popular Pretences are thrown out) of all the ſevere Meaſures, with reſpect to Trade, already ruinouſly executed upon Ireland, and now projected for the whole Nation.*

Anno 14, Geo II. 1740.

holders in England, as they have been for ſome time over above half the Landholders of Ireland, who are obliged to ſell at the Price they pleaſe to give; the exported Produce of that Country, in the Cattle-Trade, being near 600,000l. per Annum, excluſive of any Commodity derived from Sheep, and the whole Value of the Export of that Kingdom, not exceeding 1,000,000l. which are Facts extremely certain, and taken from the Books of the Cuſtoms there upon a parliamentary Inſpection.

It is to be conſidered, whether any great Men were induced to favour this Scheme from any private Advantages which they were to receive from the Contractors, in Conſideration of it; and it ought to be underſtood, that this is the faireſt Opportunity for the greateſt Money-Jobb, that may ever offer again to any Man in Power.

It ought to be farther conſidered, when the Bill offered to Parliament for regulating this Affair ſhall be examined, whether the Hopes of extraordinary and partial Powers to be granted to the Crown by it, might not be a principal Reaſon for inſinuating the Neceſſity of this Meaſure, eſpecially at this Conjuncture, when a new Parliament is to be ſhortly called.

It ſhould be obſerved, what Induſtry was uſed in the public Papers, to prepare and prejudice the Minds of the People in favour of an Embargo, particularly with reſpect to the Iriſh Beef: And whether this does not ſeem to have proceeded rather from the Spirit of private Intereſt, than a Zeal for the public Good, eſpecially as the latter End was ill anſwered, by alarming our Enemies with the Apprehenſion of an approaching Prohibition, and could tend only to haſten them in making their Proviſion before they were prevented.

It is to be conſidered, what can be the Reaſons or Views of a certain Gentleman in preſſing to do that by Act of Parliament, which by the known Conſtitution of the Kingdom may be done, and has been done by an allowed Prerogative.

It is to be conſidered, why Ireland is to be mentioned by the Bill, ſince the Prerogative has already had in that Country a full Effect without a Bill; and whether the doing this by an Engliſh Law, being unneceſſary, will not create Diſcontents there, which had better be avoided, eſpecially at this Conjuncture.

It is to be conſidered, why Ireland, which has the ſame *Magna Charta* and Common Law with England, ſhould be ſubjected to an Embargo by Prerogative, if that Embargo

was

was illegal; and if it was not illegal, why England was not ſubjected to it at the ſame time.

It is to be conſidered, why that Embargo upon Ireland was laid upon the whole Trade, to the immenſe Damage of that Country, notwithſtanding the Relaxation of it in ſome Inſtances: And whether the doing it in that way, did not evidently tend to create ſervile Applications, great Loſs of Time and Opportunities, great Dependence upon Men in Power, and poſſibly great Corruption. And whether it is not an Abſurdity to ſuppoſe the Prerogative ſufficient to exerciſe a general Embargo upon the whole Trade, and inſufficient to do it upon a few Branches only.

It is to be conſidered, that the Embargo in Ireland was laid at a Conjuncture above all others fatal; the Rents of that Country being chiefly made during the Slaughter-Seaſon, which is in the Months of October, November, and December.

It is to be conſidered, why the Embargo was laid after the French and Spaniſh Fleets were ſailed; and if neceſſary at all, why not before?

It is to be conſidered, whether it can be ſuppoſed that the provident Adminiſtration of France and Spain would have hazarded the Succeſs of ſo great a Deſign, and the Loſs of ſo great an Armament, to an Event which they knew to be ſo much in our Power, as the Embargo on Iriſh Beef. Whether therefore it could be reaſonably ſuppoſed, that this Meaſure, which has been talked up as ſo important, could have taken any ſtrong Effect.

It is to be conſidered, whether any Man can with any Appearance of Reaſon ſuggeſt, that this Embargo could have had any better Effect, than to occaſion ſome Diſtreſs among the French and Spaniſh Forces, to oblige them to be contented with a more ſpare and leſs agreeable Diet, or to be at ſome greater Expence to procure Proviſion; and whether any Man can be ſo ſanguine to believe, that we ſhall render them unfit for Action and Service by this means.

It is to be conſidered, whether if they are ſtill fit for Action and Service, the Degree of Diſtreſs we ſhall create to them will be of any Advantage to juſtify ſo extraordinary a Meaſure; and whether, when it is rightly underſtood by the Public, they can think it ſufficient to balance the extravagant Loſs it will occaſion to Ireland and to our own Colonies.

It is to be conſidered what this Loſs will be, whether it will not occaſion a total Stagnation of Trade in ſome of our Colonies: Whether Proviſions exported from Ireland are not annually worth 600,000l. and whether it be poſſible that any Remedy can be applied to the Diſtreſs of that Nation,

Anno 14, Geo II. 1740.

Nation, occaſioned by this Embargo, when half the Beef they export is of ſo bad a kind, that no People can conſume it but the French; and conſequently that if England were ever ſo willing to relieve Ireland, ſhe cannot buy that Product.

It is to be conſidered, how unequally this Blow muſt fall, and that this Loſs will lie in a manner wholly upon one fourth Part of Ireland, above three Fourths of the exported Beef, &c. ariſing from the Province of Munſter only.

It is to be conſidered, what a deplorable Ruin muſt attend the fourth Part of any Country, by a certain annual Loſs of at leaſt 300,000l. when the Rents of that whole Country amount to but 1,700,000l.

It is to be conſidered, whoſe Loſs this in the End will be; and whether it will not be the Loſs of England: Since it is demonſtrable that England gets all the Balance of the Trade of Ireland, as appears from hence, that the current Species of Ireland is certainly not augmented for twenty Years paſt, tho' the Balance of Trade is known to be more than 400,000l. per Annum in her favour.

It is to be conſidered, whether the Growth of Wool, and the Woollen-Manufactures of Ireland, if they are ſo prejudicial to the Woollen-Trade of England, as ſome would popularly ſuggeſt, will not be enlarged to the Prejudice of England, by driving the Iriſh out of a Trade, which now employs ſo great a Portion of their Land.

It is to be conſidered, what was the Practice of this Nation in all our former Wars, and upon what Motives it was, that in the Reign of King Charles II. in 1667, when England was at War with Holland, France and Denmark, at a Period when the Prejudices againſt Ireland firſt had Riſe, and were moſt violent; it was reſolved by the Council of England, that the Iriſh ſhould export their Beef and Proviſions to the Enemy, in Purſuance of which Reſolution a Proclamation from the Lord Lieutenant of that Kingdom was then iſſued to that Purpoſe.

It is to be conſidered likewiſe, upon what Motives, in the Wars of King William and Queen Anne with France, the ſame Indulgence was ſhewn to Ireland, and their Exportation privately encouraged by the Government of England, notwithſtanding any general Embargoes laid by Act of Parliament.

It is to be conſidered, whether the Dutch, the wiſeſt Nation in the World with reſpect to Commerce, ever thought it adviſeable to refuſe to ſupply their Enemies with any Commodity whatever.

It

It is to be conſidered, now the Scarcity of Graſs and Hay is ſo exceſſive, what can be done with our Cattle if they are not exported; and whether it be better that they ſhould periſh at Home, than be ſold to our Enemies. Anno 14, Geo. II. 1740.

It is to be conſidered, whether Money be not the Sinew of War; and whether to deny ourſelves the Profit of a very advantageous Trade be a natural way to prove ſucceſsful againſt our Enemies.

It is to be conſidered, whether one of the Calamities of War is not the Interruption of our Commerce.

Whether to render this greater than it muſt neceſſarily be, can deſerve the Encomiums which a certain Perſon and his Adherents beſtow upon this Meaſure.

Whether one of the moſt valuable Circumſtances of Admiral Vernon's glorious Demolition of Porto-Bello had not been thought, by all knowing Men, to be the Opening of that Coaſt to our Merchants, and the Means thereby given to ſupply the Spaniſh-America with Commodities of this Country.

Whether there is any Maxim ſo ſolid, and ſo incapable of being contraverted with reſpect to Trade, as that it ought never to be reſtrained.

Whether the eternal Conſequence of Reſtriction in Commerce has not been the Diverſion of it into a new Channel.

Whether the Reſtraint upon the Exportation of Iron, laid by Sweden ſome Years ago, has been ever recovered by Sweden, and whether Spain was not an immenſe Gainer by it.

Whether the Reſtraint upon the Iriſh-Trade in Cattle, impoſed by England, did not throw the Beef Trade into Ireland, and give it to that very Country, which was imprudently deſigned to be excluded from it.

Whether the Prohibition of the Iriſh to carry on the Woollen Manufacture, did not throw the Woollen Trade as well out of their Hands as ours, and eſtabliſh the ſame in all Parts of Europe.

Whether any Folly be more exploded, if fatal and general Experience can explode a Folly, than the Suppoſition, that any Nation can exclude the reſt of the World from any Branch of Commerce.

Whether it can be ſuppoſed that Providence has been ſo ſevere upon any Country, as to put it in the Power of another to ſtarve her Inhabitants.

It is to be conſidered, whether it is poſſible to conceive, that any Nation abounding in Wealth, can fail to be ſupplied with Neceſſaries for Money.

Anno 14, Geo. II. 1740.

It is to be conſidered, whether Denmark, Jutland, Holſtein, and other Places in the Baltic, which now export great Quantities of Live Cattle, may not ſalt their Beef, and ſupply France and Spain with it; and whether they will not keep that Trade when they have once experienced the Advantage of it.

It is to be conſidered, whether Hungary, Flanders, and France itſelf, may not upon Encouragement ſupply a Part.

It is to be conſidered, whether the Foreſts of France and Germany may not ſupply great Quantities of Pork; and whether that Proviſion will not anſwer the End of Beef.

It is to be conſidered, whether Holland may not ſupply vaſt Quantities, particularly of Pork, from Germany, by means of the navigable Rivers which flow from thence thro' that Country.

It is to be conſidered, what Effect the Lucre of this Branch of Trade may have upon the Councils of thoſe Nations which may gain it from us: And whether France may not acquire a dangerous Influence over ſome of our beſt Allies by that Event.

It is to be conſidered, nay, it is to be known, that there is a Method of ſalting and curing Cattle in the very hotteſt Latitudes, and under the Line itſelf, tho' the Secret is as yet in few Hands; and whether Neceſſity and Money will not open that Secret to France and Spain.

It is to be conſidered, whether in all ſuch Caſes, many Places for Supply and Means of it may not be found, which no preſent Foreſight can ſuggeſt.

Whether a very hard Seaſon, and a Dearth of Grain Abroad, is not by all thinking Men apprehended as a fatal Incident to England, tho' ſhe is not herſelf a preſent Sufferer by it, and may be an immediate Gainer by the Exportation of greater Quantities of Corn; ſince the Alarm it gives to foreign Nations, tends to put them upon Meaſures for enlarging their Tillage, and finding Means to ſupply themſelves at Home with Grain, which France has lately done, by founding a Company, and giving great Advantages and Premiums for raiſing Rice in that Country.

Whether therefore it may be thought adviſeable to urge this Diſtreſs in any kind; and whether it is not adding an Incentive to their Endeavours in this way.

Whether from this juſt Conſideration, all Embargoes, or other Difficulties upon Exportation, are not in the nature of the Thing injurious and abſurd.

Whether it is beneath a Man of Senſe, upon better Conſideration, to reject Opinions, however warmly he may have eſpouſed

eſpouſed them, before the State of the Queſtion had been thoroughly canvaſſed. Anno 14, Geo. II. 1740.

Whether, therefore, there may not be great Hope, that the Act relating to the Embargo will never paſs.

And if it ſhould paſs, 1. That it may relate to Corn only; a Reſtraint upon which ſeems to be juſtified for the preſent, by no other Reaſon but the great Want of it at Home, which our late ill Seaſons threaten.

2. That it ſhould not extend either to Ireland, or the Plantations, who will be infallibly diſtreſſed beyond Example, and almoſt to utter Ruin by it.

3. That if it muſt paſs, it ſhould be general as to every diſtinct Species, to avoid Partiality, and Increaſe of Miniſterial Power.

4. That it ſhould be in the Power of the Crown to relieve it in any one Branch of Exportation, provided the Relief or the Reſtraint be general as to the particular Branch; becauſe it may be neceſſary to prevent the Exportation of Corn, and at the ſame time fatal to hinder that of other Proviſions.

5. That Care be taken to allow the Export of Corn to Ireland, either from the Plantations or England; without which Ireland, which does not grow Corn enough for her Home Conſumption, and is now in great Diſtreſs from the Loſs of Potatoes by the Froſt, may greatly ſuffer by Famine; eſpecially if this Winter ſhould be attended with more ſevere Weather.

Upon the whole, it is to be hoped that Men in Power, if they ſhould be convinced, by theſe Conſiderations, that they have not deſerved the Applauſe which has been raſhly given to this Meaſure, and that it is really deſtructive and dangerous, will be generous enough to reſign their Pretenſions to this Glory, rather than ſacrifice the Trade and Intereſt of theſe Dominions, by maintaining their firſt Opinion.

P. S. It is actually now known, that the French have contracted already for an annual Supply of 6000 Tons, or 60,000 Barrels of Beef from Jutland, at the Rate of 200 Weight per Barrel, which is within 20,000 Barrels of the greateſt Quantity ever taken by them from Ireland in Times of Peace. So that in all Probability an irrecoverable Blow is already given to that Branch of Trade; and they have actually contracted with Holland for a farther Quantity.

Certain Advices are received, that the French Fleets are actually arrived in America; which may ſerve ſufficiently to evince, that ſome Perſons have boaſted too much of their Sagacity in impoſing the Embargo: The great, and

Anno 14, Geo. II. 1740.

indeed only plauſible Pretence for it, being to prevent their Navigation thither at this critical Conjuncture, which it was confidently affirmed it would effect.

This was foretold at a Time when the Prejudices, in favour of an Embargo, were too ſtrong to admit Credit to that Suggeſtion. It is to be wiſhed, that the farther Prophecy contained in this Paper may not likewiſe be moſt fatally accompliſhed.

Mr. Thompſon.

SIR,

Mr. Thompſon, Eſq;

'The Crime of exaſperating the People againſt their Governors, of raiſing Diſcontent, and exciting Murmurs in a Time of general Danger, and of attempting to repreſent wiſe and ſalutary Meaſures, which have received the Approbation of the whole Legiſlature, as mean Artifices, contrived only to raiſe the Fortunes of ſome Favourites of the Miniſter, and aggrandize the Officers of State by the Miſeries of the People, is a Crime too enormous to require or admit any Aggravation from Rhetoric, and too dangerous to hope for any Excuſe from Candour and Lenity.

'To read or hear this Paper is ſufficient for a full Conviction of its pernicious Tendency, and of the Malice of its Author; a Charge not fixed upon particular Expreſſions capable of a doubtful Meaning, and which Heat and Inadvertency might caſually have produced, but ſupported by the general Deſign of the whole Paper, and the continued Tenor of the Argument, which is evidently intended to ſhew that an Act of Government, which cannot but appear neceſſary and ſeaſonable in the preſent State of our Affairs, an Act ratified by the Concurrence of all the Powers of the Legiſlature, is nothing but a Scheme of Avarice to grow rich by Oppreſſion.

'Nor is this ſcandalous Libel written with more Confidence and Inſolence than it is diſperſed. Not content, Sir, with villifying the Proceedings of the State, the Author has induſtriouſly publiſhed his Calumny at our Door; the Time has been when Defamation ſkulked in Secret, and Calumnies againſt the Government were diſperſed by Whiſpers or private Communication; but this Writer adds Inſults to his Injuries, and at once reproaches and defies us.

'I beg leave to move therefore, that the Houſe do cenſure this Paper as "a malicious and ſcandalous Libel, highly and injuriouſly reflecting upon a juſt and wiſe Act of his Majeſty's Government, and alſo upon the Proceedings of both Houſes of Parliament; and tending to create Jealouſies

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in the Minds of the People. I alſo move, that the Author may be ordered to attend, to be examined at our Bar." Anno 14, Geo II. 1740.

[This was unanimouſly agreed to by the Houſe. The Door-keeper was called in, and being ſhewn the Paper, was aſked from whom he received it? Who anſwered, that he believed the Perſon, who delivered it to him, was then detained in one of the Committee Rooms; upon which he was ordered to look for, and fetch him to the Bar. Mr. Sandys taking notice, that the Perſon was already in Cuſtody, ſaid, that he ſhould be glad to know by what Authority. It was not reaſonable to puniſh firſt, and judge afterwards.

Upon which Sir William Yonge replied, 'That he had cauſed him to be detained, in order to know the Pleaſure of the Houſe; and that he thought it his Duty to ſecure ſo enormous an Offender from eſcaping.'

Soon after the Door-keeper brought the Man in, when he declared, upon Examination, his Name, and his Profeſſion, which was that of a Scrivener, and owned, with great Openneſs, that he was the Author of the Paper. He was then aſked, who was the Printer, and anſwered, that he printed it himſelf. Which he explained afterwards, by ſaying, that as he had carried it to the Printer's, he might be ſaid, in the general Acception of the Term, as applied to an Author, to be the Printer; he then diſcovered the Printer, and was aſked, where was the original Manuſcript, which he ſaid he had deſtroyed, as he did any other uſeleſs Paper.

It having been obſerved by ſome of the Members, that it was printed in one of the Daily Papers, he was aſked, who carried it thither? And anſwered, that he carried it himſelf. It was then demanded, what he gave for having it inſerted, and he anſwered, that he gave nothing.

After many Queſtions, Mr. H. Archer deſired that he might be aſked, Whether on the Friday before he was not in the Gallery? At which ſome of the Members expreſſed their Diſapprobation, and the Man being ordered to withdraw, the following Debate enſued upon the Propriety of the Queſtion.]

Samuel Sandys, Eſq;

SIR,

'Thoſe who are entruſted by their Country with the Authority of making Laws, ought undoubtedly to obſerve them with the utmoſt Circumſpection, leſt they ſhould deſeat their own Endeavours, and invalidate by their Example their own Decrees. Sam. Sandys, Eſq;

'There

Anno 14. Geo. II. 1740.

'There is no Part, Sir, of our Civil Conſtitution more ſacred, none that has been more revered by thoſe that have trampled upon other Forms of Juſtice, and wantoned in Oppreſſion without Reſtraint, than that Privilege by which every Briton is exempted from the Neceſſity of accuſing himſelf, and by which he is entitled to refuſe an Anſwer to any Queſtion which may be aſked, with a View to draw from him a Confeſſion of an Offence, which cannot be proved.

'Whether this great Privilege, Sir, is not violated; whether the unalienable Right of a free Subject is not infringed, by the Queſtion put to the Perſon at our Bar, the Houſe muſt decide. The Puniſhment to which Intruders are ſubject by the Orders of this Houſe, proves that his Preſence in the Houſe is conſidered as a Crime, of which, as we have no Proof of it, a Confeſſion ought not to be extorted by an artful and inſidious Queſtion, of which he may not diſcover the Intention, or the Conſequence. Such Treatment, Sir, is rather to be expected by Slaves in the Inquiſition of Spain, than a Briton at the Bar of this Houſe; a Houſe inſtituted to preſerve Liberty, and to reſtrain Injuſtice and Oppreſſion.

Mr. Campbell.

SIR,

Mr. Campbell.

'I cannot but concur with the Opinion of the Honourable Gentleman, that in requiring an Anſwer to this Queſtion we ſhall expoſe a Man to a Puniſhment againſt whom we have no Evidence but what is extorted from himſelf; and conſequently no Knowledge of his Crime upon which we can proceed to inflict Cenſures or Penalties, without the manifeſt Infraction of our Conſtitution.

'It cannot be imagined, Sir, that he intends to confeſs himſelf guilty of a Crime of which no Proof has been brought, or that he will voluntarily ſubject himſelf to Puniſhments. It muſt therefore follow, that he is intrapped in his Examination by an Artifice, which, I hope, will never find any Countenance in this Houſe.'

Mr. Winnington.

SIR,

Mr. Winnington.

'It is not impoſſible that the Honourable Gentlemen having not lately look'd into the Orders of the Houſe, may miſtake the Tendency of the Queſtion, I therefore move, that the Order may be read.'

[*The Order being read by the Clerk, he proceeded.*]

'It

Anno 14, Geo. II 1740.

'It is evident, Sir, that by the Order now read, the Serjeant at Arms, attending on this Houſe, may take into Cuſtody all Strangers that ſhall be found in the Houſe or Gallery while we are aſſembled; and that this Order is not always put in Practice, muſt be attributed to the Lenity of the Houſe. But that this Order extends to paſt Offences, and ſubjects any Man to Impriſonment for having been preſent in ſome former Day, cannot be conceived. For how far may ſuch a Retroſpect be extended? Or at what Time, after having intruded into the Houſe, can any Man preſume to conſider himſelf as exempt from the Danger of Impriſonment?

'Our Order, Sir, only decrees preſent Puniſhment for preſent Offences, and therefore, the Queſtion aſked by the Honourable Gentleman may be inſiſted on without Scruple, and anſwered without Hazard. Let then the Honourable Gentlemen reſerve their laudable Zeal for our Conſtitution till it ſhall be invaded by more important Occaſions.'

Samuel Sandys, Eſq;

SIR,

Sam. Sandys, Eſq;

'What Victory the Honourable Gentleman imagines himſelf to have gained, or whence proceeds all his Wantonneſs of Exultation, I am not able to diſcover. The Queſtion only relates to the Interpretation of one of our own Orders, and is therefore not of the higheſt Importance; nor can his Succeſs in ſo trivial a Debate entitle him to great Applauſe from others, or produce in a Perſon of his Abilities, any uncommon Satisfaction to himſelf.

'But whatever may be the Pleaſure of the Victory, it muſt at leaſt be gained before it can be celebrated; and it is by no Means evident that he has yet any Reaſon to aſſure himſelf of Conqueſt.

'His Interpretation, Sir, of the Order, which he has ſo confidently laid before the Houſe, ſeems to me to have no Foundation in Reaſon or Juſtice; for if it be an Offence againſt the Houſe to be preſent at our Conſultations, and that Offence be juſtly puniſhable, why ſhould any Man be exempt from a juſt Cenſure by an accidental Eſcape? Or what makes the Difference between this Crime and any other, that this alone muſt be immediately puniſhed, or immediately obliterated; and that a lucky Flight is equivalent to Innocence?

'It is ſurely, Sir, more rational to believe, that the Houſe may puniſh any Breach of its Orders at a diſtant Time; that if our Cenſure is once eluded, it may be afterwards enforced; and, therefore, that the Queſtion put to the Perſon at the Bar ought not to be aſked, becauſe it cannot ſafely be anſwered.'

William

Anno 14 Geo. II. 1740.

William Pulteney, Eſq;

SIR,

Will. Pulteney, Eſq;

'I cannot but conceive that our Order may extend its Influence beyond the preſent Moment, and that Intruſions may be puniſhed by the Houſe on another Day than that on which they were committed.

'I am ſo far, Sir, from being of Opinion, that to make the Execution of this Order valid, the Houſe muſt ſit without Interruption from the Time of the Offence to that of the Puniſhment, that if the Gentlemen in the Gallery were to be taken into Cuſtody, I ſhould adviſe the Serjeant to wait till the Houſe ſhould break up, and ſeize them as they ſhould come out.'

Sr. William Yonge.

SIR,

Sir William Yonge.

'If any ſuch Puniſhment were now intended, I ſhould adviſe the Gentlemen in the Gallery to retire, indeed, but not to hide themſelves like Felons, or Men proſcribed by Proclamation; for as the Power of ſeizing any Man in the Houſe is ſufficient to ſecure us from Intruſion, there is no Reaſon to extend it farther; and Penalties are not without Reaſon to be inflicted, neither has the Houſe ever coveted the Power of Oppreſſing; and what elſe is unneceſſary Puniſhment?

'If, therefore, an Intruder is not ſeized in the Act of Intruſion, he cannot legally be impriſoned for it. And any of the Strangers who now hear this Debate, may retire to a very ſmall Diſtance from the Houſe, and ſet the Serjeant of Arms at Defiance.'

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

'Whether the Queſtion be proper or not, it ſeems very unneceſſary to debate; becauſe, however it be anſwered, it cannot be of great Importance; the Man has already confeſſed himſelf the Author of the Libel, and may, therefore, be puniſhed without farther Examination.

'That he is the real Author, Sir, I am not indeed convinced by his Aſſertion, with whatever Confidence it was made; for ſo far as his Appearance enables me to judge of his Education and Sphere of Life, it is not probable that he ſhould be much verſed in political Enquiries, or that he ſhould engage in the Diſcuſſion of Queſtions like this.

'There appears, Sir, in the Paper before us, a more extenſive Knowledge of Facts, a more accurate Attention to Commerce,

Commerce, more artful Reaſoning, and a more elevated Stile, than it is reaſonable to expect from this Man, whom, without pretending to circumſcribe the Limits of his Capacity, or the Compaſs of his Knowledge, I am, for my Part, inclin'd to look upon as an Agent to ſome other Perſon of higher Station, and greater Accompliſhments. Anno 14, Geor II. 1740.

'It is not uncommon, Sir, for Gentlemen to exerciſe their Abilities and employ their Pens upon political Queſtions, and when they have produced any Thing, which their Complaiſance for themſelves equally hinders them from owning and ſuppreſſing, they are known to procure ſome Perſon of inferior Rank to take upon him in public the Character of the Author, and to ſtand the Danger of the Proſecution, contenting themſelves with the Applauſe and Admiration of their choſen Friends, whom they truſt with the important Secret, and with whom they ſit and laugh at the Conjectures of the Public and the Ignorance of the Miniſtry.

'This, Sir, is a frequent Practice, not only with thoſe who have no other Employment, but as I have ſufficient Reaſons to believe, among ſome Gentlemen, who have Seats in this Houſe, Gentlemen whoſe Abilities and Knowledge qualify them to ſerve the Public in Characters much ſuperior to that of Lampooners of the Government.'

William Pulteney, Eſq;

SIR,

'Whether the Man who confeſſed himſelf the Author of the Paper has accus'd himſelf of what he did not commit, or has ingenuouſly and openly diſcovered the Truth, it is beyond my Penetration abſolutely to decide: the Frankneſs and Unconcern with which he made the Declaration, give it at leaſt the Appearance of Truth, nor do I diſcover any Reaſon for doubting his Sincerity. Is there any Improbability in the Nature of the Fact that ſhould incline us to ſuſpect his Veracity? Is there any apparent Advantage to be gained by aſſuming a falſe Character? Neither of thoſe Circumſtances can be produced againſt him; and an Aſſertion is to be admitted for its own Sake, when there is nothing to invalidate it. Mr. Pulteney.

'But the honourable Gentleman, Sir, appears to have a very particular Reaſon for his Doubts; a Reaſon which will, I hope, have no Weight with any but himſelf. By denying the Paper to this Man, he gives room for Conjecture and Suſpicion to range far and wide, and wanton with whatever Characters he ſhall think proper Subjects for his Amuſement. An Author is now to be ſought, and many diverting Argu-

Anno 14, Geo II. 1740.

ments may be brought by the dulleſt Enquirer for fixing it upon one Man, or denying it to another.

'The honourable Gentleman, Sir, has given us a bold Specimen of this Kind of Wit, by inſinuating that it is the Production of ſome one of the Members of this Houſe; a Conjecture of which I am not able to find the Foundation, and therefore imagine, that Raillery rather than Argument was intended. But let the honourable Gentleman recollect, that the chief Excellence of Raillery is Politeneſs, to which he has ſurely paid little Regard, in ſuppoſing that what has been unanimouſly condemned as a Libel, has one of thoſe who cenſured it for its Author.

'If I am particularly hinted at in this ſagacious Conjecture, I take this Opportunity of declaring that I am equally ignorant of the whole Affair with any other Gentleman in this Houſe; that I never ſaw the Paper, till it was delivered to me at the Door, nor the Author till he appeared at the Bar. Having thus cleared myſelf from this Aſperſion, I declare it as my Opinion, that every Gentleman in the Houſe can ſafely purge himſelf in the ſame Manner; for I cannot conceive, that any of them can have written a Libel like this. There are, indeed, ſome Paſſages which would not diſgrace the greateſt Abilities, and ſome Maxims true in themſelves, though perhaps fallaciouſly applied, and at leaſt ſuch an Appearance of Reaſoning and Knowledge, as ſets the Writer far above the Level of the contemptible Scriblers of Miniſterial Vindications: A Herd of Wretches, whom neither Information can enlighten, nor Affluence elevate; low Drudges of Scurrility, whoſe Scandal is harmleſs for Want of Wit, and whoſe Oppoſition is only troubleſome from the Pertinaciouſneſs of Stupidity.

'Why ſuch immenſe Sums are diſtributed amongſt theſe Reptiles, it is ſcarce poſſible not to enquire; for it cannot be imagined that thoſe who pay them expect any Support from their Abilities. If their Patrons would read their Writings, their Salaries would quickly be withdrawn; for a few Pages would convince them, that they can neither attack nor defend, neither raiſe any Man's Reputation by their Panegyric, nor deſtroy it by their Defamation.'

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

'I hope it is not expected, that the Heat with which one Claſs of our political Writers have been attacked by the honourable Gentleman, ſhould engage me to undertake their Defence with the ſame Earneſtneſs. I have neither Intereſt enough in the Queſtion to awaken my Paſſions, nor Curioſity

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or Leiſure ſufficient for ſuch an Examination of the Writings on each Side, as is neceſſary, before the Superiority of any Author above his Brethren can be juſtly aſſerted. Anno 14. Geo. II. 1740.

'It is no Part, Sir, of my Employment or Amuſement, to compare their Arguments, or to balance their Abilities; nor do I often read the Papers of either Party, except when I am informed by ſome that have more Inclination to ſuch Studies than myſelf, that they have riſen by ſome Accident above their common Level.

'Yet, that I may not appear entirely to deſert the Queſtion, I cannot forbear to ſay, that I have never from theſe accidental Inſpections of their Performances, diſcovered any Reaſon to exalt the Authors who write againſt the Adminiſtration, to a higher Degree of Reputation than their Opponents. That any of them deſerve loud Applauſes, I cannot aſſert, and am afraid that all, which deſerves to be preſerv'd of the Writings on either Side, may be contracted to a very few Volumes.

'The Writers for the Oppoſition appear to me to be nothing more than the Echoes of their Predeceſſors, or what is ſtill more deſpicable, of themſelves, and to have produced nothing in the laſt ſeven Years, which had not been ſaid ſeven Years before.

'I may, perhaps, be thought by ſome Gentleman of each Claſs, to ſpeak contemptuouſly of their Advocates, nor ſhall I think my own Opinion leſs juſt for ſuch a Cenſure; for the Reputation of controverſial Writers ariſes, generally, from the Prepoſſeſſion of their Readers in favour of the Opinions which they endeavour to defend. Men eaſily admit the Force of an Argument which tends to ſupport Notions, that it is their Intereſt to diffuſe, and readily find Wit and Spirit in a Satire pointed at Characters which they deſire to depreſs. But to the oppoſite Party, and even to themſelves, when their Paſſions have ſubſided, and their Intereſt is diſunited from the Queſtion, thoſe Arguments appear only loud Aſſertions, or empty Sophiſtry; and that Wit, which was clamouroufly praiſed, diſcovers itſelf to be only Impudence or low Conceits; the Spirit evaporates, and the Malignity only remains.

'If we conſider, Sir, what Oppoſition of Character is neceſſary to conſtitute a political Writer, it will not be wondered, that ſo few excel in that Undertaking. He that will write well in Politics, muſt at the ſame Time have a complete Knowledge of the Queſtion, and Time to digeſt his Thoughts into Method, and poliſh his Stile into Elegance; which is little leſs than to ſay, He muſt be at once a Man of Buſineſs, and a Man of Leiſure; for political Tranſactions are not eaſily underſtood, but by thoſe who are engaged in

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them, and the Art of Writing is not attainable without long Practice, and ſedentary Application.

'Thus it happens that political Writings are generally defective. For they are drawn up by Men unacquainted with public Buſineſs, and who can therefore only amuſe their Readers with fallacious Recitals, ſpecious Sophiſtries, or an agreeable Stile; or they are the haſty Productions of buſy Negotiators, who, tho' they cannot but excel the other Claſs of Writers in that which is of moſt Importance, the Knowledge of their Subject are yet rarely at leiſure to diſplay that Knowledge to Advantage, or add Grace to Solidity.

'Writers of the latter ſort appear but ſeldom, and moſt of our political Papers are the Amuſements of Leiſure, or the Expedients of Want.

'Whether the Paper, now before us, is the Produce of Eaſe, or of Neceſſity, I ſhall not determine; I have already offered my Opinion, that the Man who claims it, is not the Author, nor do I diſcover any Reaſon for changing my Sentiment: The Queſtion is a Queſtion merely of Conjecture, ſince neither I, nor the Honourable Gentleman attempt to offer any demonſtrative Proofs of our Opinion. If he has any to produce in favour of his own Notions, let him lay them before you, but let him always forbear to impute to me Aſſertions which I never uttered, and beware of repreſenting me as declaring that I believe this Paper the Compoſition of ſome Members of this Houſe.'

[*It was then debated, whether this Offence ſhould be puniſhed by the Authority of the Houſe, or referred to the Cognizance of ſome of the Courts of Weſtminſter Hall, on which Occaſion Mr. Howe ſpoke as follows.*]

SIR,

Mr. Howe.

'It is the Duty of every Part of the Legiſlature, not only to preſerve the whole Syſtem of our Government unaltered and unimpaired, but to attend particularly to the Support of their own Privileges, Privileges not conferred upon them by our Anceſtors, but for wiſe Purpoſes.

'It is the Privilege of this Houſe that we, and we only, are the Judges of our own Rights, and we only, therefore, can aſſign the proper Puniſhment when they ſhall be preſumptuouſly invaded.

'If we remit this Offender, who has attempted to debaſe the Houſe in the Opinion of the Nation, to any inferior Court, we allow that Court to determine by the Puniſhment that ſhall be inflicted, the Importance of this Aſſembly,

Aſſembly, and the Value of the collective Character of this Houſe. Anno 14, Geo. II. 1740.

'It therefore concerns us, in regard to our own Dignity, and to the Privileges of our Succeſſors, that we retain the Cognizance of this Crime in our own Hands, in which it is placed by perpetual Preſcription and the nature of our Conſtitution.'

Ordered, That William Cooley having confeſſed himſelf to be Author and Publiſher of a malicious and ſcandalous Libel, intitled, *Conſiderations upon the Embargo on Proviſion of Victual*, be for his ſaid Offence committed to Newgate.

Sir William Yonge.

SIR,

'I am pleaſed with finding that the Malice and Indecency of this Libel, has raiſed in the Houſe a juſt Reſentment, and that the Wretch, who with a Confidence ſo ſteady, and ſuch Appearance of Satisfaction in his Countenance, confeſſes, or rather proclaims himſelf the Author, is treated as he deſerves. But let us not forget that the ſame Degree of Guilt always requires the ſame Puniſhment, and, that when the Author of Scandal is in Priſon, the Printer and Propagator of it ought not to be at Liberty. Sir William Yonge.

'The Printer of the Daily News is ſurely the proper Object of your Indignation, who inſerted this Libel in his Paper, without the Fondneſs of an Author, and without the Temptation of a Bribe; a Bribe, by the Help of which it is uſual to circulate Scurrility To this Man the Expence or Labour of aſperſing the Government was recompenſed by the Pleaſure, and he could not prevail on himſelf to omit any Opportunity of incenſing the People, and expoſing at once the whole Legiſlature to Cenſure and Contempt.

'Thoſe, therefore, that have concurred in the Impriſonment of the Author, will doubtleſs join with me in requiring the Attendance of his officious Accomplice, and I cannot forbear expreſſing my Hopes, that he will not meet with kinder Treatment.

'It is far from being the firſt Offence of his licentious Preſs; and the Lenity of the Government, by which he has been ſo long ſpared, has had no other Effect upon him, than to add Confidence to his Malice, and incite him to advance from one Degree of Impudence to another.

'He has for ſeveral Weeks perſiſted in miſrepreſenting the Intention of the Embargo, by Letters pretended to be written by Friends of the Government, who are injured by it. He has vented his Inſinuations as hitherto, with Impunity,

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Impunity, ſo, as it appears, without Fear. It is Time, therefore, to diſturb his Security, and reſtrain him from adding one Calumny to another.'

Sir John Barnard.

SIR,

Sir John Barnard.

'The End of Puniſhment is to prevent a Repetition of the ſame Crime both in the Offender, and in thoſe who may have the ſame Inclinations, and when that End is accompliſhed, all farther Severities have an Appearance rather of Cruelty than Juſtice.

'By puniſhing the Author of this Libel, we have, in my Opinion, ſufficiently ſecured our Dignity from any future Attacks, we have cruſhed the Head of the Confederacy, and prevented the ſubordinate Agents from executing their Malice. Printers can do no Injury without Authors; and if no Man ſhall dare to write a Libel, it is not worthy our Enquiry how many may be inclined to publiſh it.

'But if the Printer muſt neceſſarily be puniſhed before the Reſentment of the Houſe can be ſatisfied; if it ſhall not be thought ſufficient to puniſh him without whoſe Aſſiſtance the other could not have offended; let us, at leaſt, confine our Animadverſion to the preſent Fault, without traceing back his Life for paſt Miſdemeanors, and charging him with accumulated Wickedneſs; for if a Man's whole Life is to be the Subject of judicial Enquiries, when he ſhall appear at the Bar of this Houſe, the moſt Innocent will have Reaſon to tremble when they approach it.

'Even with regard, Sir, to the Offence of which he is now accuſed, ſomewhat may, perhaps, be ſaid in Extenuation of his Guilt, which I do not offer to gratify any perſonal Affection or Regard for him, to whom I am equally a Stranger with any other Gentleman in this Houſe, but to prevent a Puniſhment which may be hereafter thought diſproportioned to the Crime.

'It is, Sir, to be remembered, that he was not the original Printer of the Libel, which he only reprinted from a Paper, of which he knew that it was to be diſperſed at our Door, and in which he could not naturally ſuſpect any ſeditious or dangerous Aſſertions to be contained. It is, therefore, probable that he fell into the Offence by Ignorance, or, at worſt, by Inadvertency; and, as his Intention was not criminal, he may properly be ſpared.'

Mr.

Mr. Winnington.

SIR,

' I cannot but think the Honourable Gentleman betrayed by his Zeal for the Defence of this Man, into ſome Aſſertions not to be ſupported by Law or Reaſon. If it be innocent to print a Paper once printed, will it not inevitably follow, that the moſt enormous Inſults on the Crown itſelf, the moſt ſeditious Invectives, and moſt dangerous Poſitions, may be diſperſed thro' the whole Empire, without any Danger but to the original Printer? And what Reaſon, Sir, can be aſſigned, why that which is criminal in one Man, ſhould be innocent in another?

Mr. Winnington.

' Nor is this the only Poſition which had been advanced contrary to the Laws of our Country; for it has been aſſerted, that the general Character of an Offender is a Conſideration foreign from that of his immediate Crime; and that whatever any Man's paſt Life had been, he is only to be judged according to the Evidence for the Offence, which is then the Subject of Examination.

' How much this Opinion is conſiſtent with the Practice of our Courts, a very ſlight Knowledge of their Methods of proceeding, will readily diſcover. Is any Villain there convicted but by the Influence of his Character? And is not the chief Queſtion at a Trial the paſt Conduct of the Perſon at the Bar?'

Sir John Barnard.

SIR,

' I riſe up only to anſwer a Queſtion, which is, whether properly or not, put to me, and hope the Irregularity will not be imputed to me by the Houſe, but to the Occaſion which produces it.

Sir John Barnard.

' I am aſked, whether it is not the chief Queſtion at the Bar of our Courts of Juſtice, What is the Character of the Priſoner? And cannot but feel ſome Amazement that any Man ſhou'd be ſo ignorant of common Proceedings, and ſo much unacquainted with the Execution of our Laws, as to have admitted a Notion ſo chimerical.

' The Character of the Priſoner is never examined, except when it is pleaded by himſelf, and Witneſſes are produced to offer Teſtimony in his Favour; that Plea, like all others, is then to be examined, and ſometimes confuted by contrary Evidence. But the Character of a Criminal, tho' it may be urged by himſelf as a Proof of his Innocence, is never to be mentioned by his Proſecutor as an Aggravation or Proof of his Guilt. It is not required by the Law, that

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the general Character of a Criminal, but that the particular Evidence of the Crime, with which he ſtands charged, ſhould be examined; nor is his Character ever mentioned but by his own Choice.'

Sir William Yonge.

SIR,

Sir William Yonge.

'To prove the Malignity of the Intention with which this Libel was inſerted in the Daily Paper, it cannot be improper to obſerve, that the Embargo had been, for many Days paſt, the favourite Topic of this Printer, and that, therefore, it was not by Accident that he admitted ſo zealous an Advocate for his Opinions to be ſeaſonably aſſiſted by the Circulation of his Paper, but that he doubtleſs was delighted with an Opportunity of diſperſing Sedition by Means of greater Abilities than his own.

'Nor can it be juſtly pleaded, Sir, in his favour, that he was encouraged to publiſh it by the Confidence with which he ſaw it diſperſed; for it was printed by him in the Morning, and not brought hither till the Afternoon. I cannot, therefore, but conclude, that his Intentions were agreeable to his Practice, and that he deſerves to accompany the Author in his preſent Confinement.'

Mr. Campbell.

SIR,

Mr. Campbell.

'I hope it will not be imputed to me as a Diſregard of the Government, or Neglect of the Honour of this Houſe, that I declare myſelf on all Occaſions like this, inclined to Lenity, and think it neceſſary always to proceed by regular Methods, and known Forms of Juſtice, not by capricious Determinations, and Orders variable at Pleaſure.

'I oppoſed the Impriſonment of the Man who juſt now appeared at the Bar of our Houſe, and am ſtill more unwilling to proceed to Severities againſt another, who is criminal only in a ſubordinate Degree. The loudeſt Declaimers againſt thoſe Men cannot have ſtronger Deteſtation of Falſhood and Sedition than myſelf; but however flagrant may be the Crimes, they may be puniſhed with unjuſtifiable Rigour, and, in my Opinion, we have already proceeded with Severity ſufficient to diſcourage any other Attempts of the ſame kind.

'Whether it will promote the Advantage of the Public, and the Efficacy of our Deliberations, to deter any Man from the common Practice of giving us Information by delivering Papers at our Door, muſt be conſidered by the Houſe.

'Nor

' Nor is it leſs worthy of our moſt attentive Enquiry, whether it is not more reaſonable to proſecute this Offender in the common Forms of Juſtice, than to puniſh him by any Act of uncontrollable, unaccountable Authority? Whether it is not more reaſonable to have him proſecuted before a Judge unprejudiced, and a diſintereſted Jury, than to act at once as Party, Evidence, and Judge. I have no Deſire, Sir, of diminiſhing the Privileges of this Houſe; and yet, leſs would I contribute to eſtabliſh any Precedents of unlimited Power, or arbitrary Puniſhments. Anno 14, Geo II. 1740.

Mr. Attorney General.

SIR,

' Whence ſo much Tenderneſs can ariſe for an Offender of this kind, I am at a Loſs to diſcover; nor am I able to conceive any Argument that can be produced for exempting from Puniſhment the Printer of a Paper, which has been already determined by the Vote of the Houſe, to be a ſcandalous Libel, tending to promote Sedition. Mr. Attorney General.

' It has been, indeed, agreed, that there are contained in the Paper ſome true Poſitions, and ſome Paſſages innocent at leaſt, and perhaps rational and ſeaſonable. But this, Sir, is nothing more than to ſay, that the Paper, flagitious as it is, might have been ſwelled to a greater Degree of Impudence and Scurrility; that what is already too heinous to be born, might by greater Virulence become more enormous.

' If no Wickedneſs, Sir, is to be checked till it has attained the greateſt Height at which it can poſſibly arrive, our Courts of Criminal Judicature may be ſhut up as uſeleſs; and if a few innocent Paragraphs will paliate a Libel, Treaſon may be written and diſperſed without Danger or Reſtraint; for what Libel was ever ſo crowded with Sedition, that a few Periods might not have been ſelected, which, upon this Principle, might have ſecured it from Cenſure.

' The Danger of diſcouraging Intelligence from being offered at the Door of our Houſe, does not alarm me with any Apprehenſions of Diſadvantage to the Nation; for I have not ſo mean an Opinion of the Wiſdom of this Aſſembly, as to imagine that they can receive any Aſſiſtance from the Informations of theſe officious Inſtructors, who ought, in my Opinion, Sir, rather to be taught by ſome parliamentary Cenſure to know their own Station, than to be encouraged to neglect their proper Employments, for the ſake of directing their Governors.

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'When Bills, Sir, are depending, by which either the the Intereſt of the Nation, or of particular Men, may be thought to be endangered, it is indeed the inconteſtable Right of every Briton to offer his Petition at the Bar of the Houſe, and to deliver the Reaſons upon which it is founded. This is a Privilege of an unalienable Kind, and which is never to be infringed or denied; and this may always be ſupported without countenancing anonymous Intelligence, or receiving ſuch Papers as the Authors of them are afraid or aſhamed to own, and which they, therefore, employ meaner Hands to diſtribute.

'Of this kind, Sir, undoubtedly, is the Paper now under our Conſideration, of which I am far from imagining that it was drawn up by the Man who declares himſelf the Writer, and am therefore convinced of the Neceſſity of calling the Printer to the Bar, that whatever the Lenity or Juſtice of this Aſſembly may determine with Regard to his Puniſhment, he may be examined with reſpect to the real Authors of the Libel; and that our Reſentment may fall upon him, who has endeavour'd to ſhelter himſelf by expoſing another.

Mr. Ord.

SIR,

Mr. Ord.

'I am inclined to believe, that the Perſons aſſociated in writing and diſperſing this Paper, whoſoever they may be, are of no high Rank, or conſiderable Influence; as it is not likely that any Man who had much to hazard, would expoſe himſelf to the Reſentment of the whole Legiſlature; but let us not for that Reaſon exert our Superiority in wanton Puniſhments, or tyrannize merely becauſe we cannot be reſiſted. Let us remember that the ſame Juſtice and the ſame Humanity is due to the meaneſt, as the higheſt of our Fellow Subjects; and that there is even leſs Neceſſity of rigorous Meaſures, as the Attack is leſs formidable.

'But, Sir, there is one Motive to Moderation that has ſeldom been found leſs efficacious than the Conſideration of the Laws of Juſtice or Humanity. We ought to be withheld by regard to our Poſterity, and even to ourſelves, from any exorbitant Extenſion of our Privileges. We know, that Authority once exerted, is claimed afterwards by Preſcription. And who knows by what ſudden Rotation of Power, he may himſelf ſuffer by a Precedent which he has concurred to eſtabliſh, and feel the Weight of that oppreſſive Power which he firſt granted for the Puniſhment of another?'

Mr.

Mr. Howe.

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SIR,

Mr. Howe.

'I am always unwilling to oppoſe any Propoſal of Lenity and Forbearance, nor have now any Intention of heightening the Guilt of this Man by cruel Exaggerations, or inciting the Houſe to Rigour and Perſecution.

'But let us remember, Sir, that Juſtice and Mercy are equally to be regarded, and while we pity the Folly of a miſguided, or perhaps, a thoughtleſs Offender, let us not ſuffer ourſelves to be betrayed by our Compaſſion, to injure ourſelves and our Poſterity.

'This Houſe, Sir, has always claimed and exerted the Privilege of judging of every Offence againſt itſelf; a Privilege ſo long eſtabliſhed, and ſo conſtantly exerciſed, that I doubt whether the inferior Courts of Judicatue will take Cognizance of an Attack upon us; for how can they venture to decide upon a Queſtion of ſuch Importance, without any Form or Precedent for their Proceedings.

'There ſeems alſo to be at this Time, Sir, an uncommon Neceſſity for Tenaciouſneſs of our Privileges, when as ſome Whiſpers which have been wafted from the other Houſe inform us, a Motion has been made in Term, which might imply the Subordination of this Aſſembly, an Aſſertion without Foundation either in Reaſon or Juſtice, and which I ſhall always oppoſe as deſtructive to our Rights, and dangerous to our Conſtitution.

'Let us therefore, Sir, retain in our Hands the Cognizance of this Affair; and let the Criminal either ſuffer his Puniſhment from our Sentence, or owe his Pardon to our Mercy.'

This Motion was then carrid in the Affirmative; Ayes 220, Noes 163. Whereupon Mr. Meres was called in and examined, and being withdrawn;

Reſolved, That J. Meres be committed; and that his Majeſty be addreſſed to give Orders, that the ſaid J. Meres be proſecuted by the Attorney-General, on a Diviſion, Ayes 188, Noes 155.

Then Mr. Hughs was called in and examined, and having proteſted his Innocence of the ſeveral Matters contained in the ſaid Libel, &c. And being withdrawn, Reſolved, that J. Hughs be committed, in order to make his Submiſſion for his ſaid Offence; Ayes 148, Noes 75.

Dec. 4th. The Houſe, according to Order, was called over, and Thomas Strangeways Horner, Eſq; was ordered

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into Cuſtody for Non-attendance; Ayes 203, Noes 159. And a Motion being made, and the Queſtion put, That the Houſe be called over upon this Day Fortnight; it paſſed in the Negative, Ayes 81, Noes 133.

The 5th. Mr. John Hughs made his Submiſſion at the Bar of the Houſe, and was diſcharged upon paying his Fees.

Received a Copy of a Treaty between his Majeſty and the King of Sweden, as Landgrave of Heſſe-Caſſel; with a Tranſlation of the ſame. Signed, Weſtminſter the 9th of May, 1740.

Received three Petitions from Priſoners confined for Debt, in the Jails of Lincoln, Oxford and Eſſex, praying for Relief, &c.

In a Committee, made ſome Progreſs on the Bill to prohibit, for a limited Time, the Exportation of Corn, and other Proviſions out of Great Britain, Ireland, and his Majeſty's Plantations in America; and deferred the further Conſideration to Tueſday next.

A Motion being made, and the Queſtion put, That the Houſe do adjourn, it paſſed in the Negative; Ayes 87, Noes 98. Then Mr. Sandys moved that an Addreſs be preſented to his Majeſty, to order that the Embargo may be taken off of Ships laden with Fiſh and Rice; which was agreed to, and ordered accordingly.

The 8th. In a grand Committee went thro' the Land-Tax Bill, with ſeveral Amendments.

The 9th. Agreed to the Report of the Land-Tax Bill, and ordered it to be engroſſed.

Received a Petition of John Dodd, Eſq; complaining of an undue Election and Return for the Borough of Reading, in the County of Berks.

The 10th. In a grand Committee on the Supply, came to ſeveral Reſolutions.

The 11th. Read a firſt time, a Bill for regulating Trials at *Niſi Prius*, and for the more effectual ſummoning of Special Juries.

Agreed to the Report of the following Reſolutions on the Supply, viz. Reſolved, That the Number of Men to be continued for Guards and Gariſons for 1741, be 29,033 Men, including Commiſſion and Non-commiſſion Officers. And that 883,189l. be granted for defraying the Expences of the ſame.

Reſolved, That 6930 Marines be continued for 1741. And that 124,052l. be granted for defraying the Expences of the ſame.

Reſolved,

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Reſolved, That an additional Number of 5705 Men be raiſed for 1741. And that 116,322l. be granted for defraying the Expences of the ſame.

Reſolved, That an additional Number of 4620 Marines be raiſed for 1741. And that 90,201l. be granted for defraying the Expences of the ſame. And it was moved, that the new-raiſed Men be incorporated into the ſtanding Corps, becauſe the forming them into new Regiments would be more burdenſome and expenſive, &c. Which after Debate paſſed in the Negative; Ayes 232, Noes 166.

The 12th. Ordered, That Thomas Strangeways Horner, Eſq; a Member of this Houſe, be diſcharged out of Cuſtody, paying his Fees.

Debate on the Employment of the Half-pay Officers.

Mr. Sandys then moved for an humble Addreſs to his Majeſty, that for the future Eaſe of his Majeſty's Subjects, all Officers now ſubſiſting upon Half-pay, &c. might be employed in the Army, which he ſupported to this Effect.

SIR,

Sam. Sandys, Eſq;

'Tho' I have often known Motions oppoſed without any juſt Objections, or at leaſt without any Proof of ſuch Inconveniencies likely to ariſe from them, as were equivalent to the Advantages which they would have produced, yet I cannot but confeſs, that any Oppoſition to this will be unexpected and ſurpriſing; for it is, in my Opinion, ſupported by every Law of Juſtice and Humanity. If we regard the Public in general, it cannot but produce ſome Alleviation of the national Expence; and if we conſider the particular Perſons to whom it immediately relates, they have certainly a juſt Claim to that Regard, which it is the Tendency of this Motion to procure them.

'To burthen with ſuperfluous Officers, and unneceſſary Expences, a People already overwhelmed with Taxes, and over-run with the Dependents on the Crown, is ſurely to the higheſt Degree cruel and abſurd. And to condemn thoſe Men to Contempt and Penury, who have ſerved their Country with Bravery and Fidelity, to prefer unexperienced Striplings to thoſe Commiſſions, which would gladly be accepted by Men who have already tried their Courage in the Battle, and borne the Fatigues of Marches, and the Change of Climates, is ſurely not only to oppreſs the Deſerving, and ſcatter Promotion without juſt Diſtinction; but, what is yet more enormous, it is to wanton with the public Safety, and expoſe us to our Enemies.

'Nor does it appear to me ſufficient, that the Veteran Officers be reſtored to the Commiſſions which they formerly enjoyed; they ought, upon an Augmentation of our Troops,

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to be recompenced by ſome Advancement for their Services and their Sufferings; the Enſign ought to become a Lieutenant, and the Lieutenant be exalted to a Captain; Stations which they will ſurely fill with more Dignity and greater Abilities, than Boys newly diſcharged from School, and entruſted with unexpected Authority.

'If it be reaſonable, Sir, that Expence ſhould be ſpared in a Time of general Poverty; if it be politic to carry on War in the manner moſt likely to produce Succeſs; if it be juſt, that thoſe who have ſerved their Country ſhould be preferred to thoſe who have no Merit to boaſt, this Motion cannot be rejected."

Sir William Yonge.

SIR,

Sir William Yonge.

'To the Motion now made, it will not I believe be objected, that it is unreaſonable, or unjuſt, but that it is unneceſſary, and that is not drawn up with ſufficient Conſideration.

'It is unneceſſary, becauſe his Majeſty is adviſ'd by it to no other Meaſures than thoſe which he has already determined to purſue; for he has declared to me, Sir, his Intention of conferring the new Commiſſions upon the Officers who receive half Pay, before any other Officers ſhall be promoted.

'The Motion appears to me not to be very attentively conſidered, or drawn up with great Propriety of Expreſſion; for it ſuppoſes all the half-pay Officers fit for the Service, which cannot be imagined by any Man, who conſiders that there has been Peace for almoſt thirty Years; a Space of Time, in which many vigorous Conſtitutions muſt have declined, and many who were once well qualified for Command, muſt be diſabled by the Infirmities of Age. Nor is the Promotion of one of theſe Gentlemen conſidered always as an Act of Favour, many of them have in this long Interval of Peace engaged in Methods of Life very little conſiſtent with military Employments, many of them have Families which demand their Care, and which they would not forſake for any Advantages which a new Commiſſion could afford them, and therefore it would not be very conſiſtent with Humanity to force them into new Dangers and Fatigues, which they are now unable to ſupport.

'With regard to theſe Men, Compaſſion and Kindneſs ſeem to require that they ſhould be ſuffered to ſpend their few remaining Days without Interruption, and that the Dangers and Toils of their Youth ſhould be requited in their Age with Eaſe and Retirement.

'There are others who have leſs Claim to the Regard of the Public, and who may be paſs'd by in the Diſtribution of

of new Preferments without the Imputation of neglecting Merit. Theſe are they who have voluntarily reſigned their Commiſſions for the ſake of Half-pay, and have prefered Indolence and Retreat to the Service of their Country. Anno 14, Geo. II. 1740.

'So that it appears, that of thoſe who now ſubſiſt upon Half-pay, ſome are unable to execute a Commiſſion, ſome do not deſire, and ſome do not deſerve it, and with regard to the remaining Part, which can be no great Number, I have already declared the Intention of his Majeſty, and therefore cannot but conclude that the Motion is needleſs.'

Mr. Pulteney.

SIR,

'I know not by what Fatality it is, that all the Motions made by one Party are reaſonable and neceſſary, and all that are unhappily offered by the other, are diſcovered either to be needleſs or of pernicious Tendency, Whenever a Queſtion can be clouded and perplexed, the Opponents of the Miniſtry are always miſtaken, confuted, and in Conſequence of the Confutations defeated by the Majority of Votes. When Truth is too notorious to be denied, and too obvious to be conteſted, the Adminiſtration always claim the Honour of the firſt Diſcovery, and will never own that they were incited to their Duty by the Remonſtrances of their Opponents, tho' they never before thoſe Remonſtrances had diſcovered the leaſt Intention of performing it. Will. Pulteney, Eſq.

'But that the Motion is allowed to be juſt and proper, is ſufficient, the Importance of it will be eaſily diſcovered. For my Part I ſhall always conſider that Motion as important, which tends to contract the Expences of the Public, to reſcue Merit from Neglect, and to hinder the Increaſe of the Dependents on the Miniſtry.'

Sir Robert Walpole.

SIR,

'There is no Temper more oppoſite to that inceſſant Attention to the Welfare of the Public, which is the perpetual Boaſt of thoſe who have ſignalized themſelves by oppoſing the Meaſures of the Adminiſtration, than a Luſt of Contradiction, and a Diſpoſition to diſturb this Aſſembly with ſuperfluous Debates. Sir Robert Walpole.

'Whether this Diſpoſition is not diſcovered in the Reply made to the Declaration of his Majeſty's Intentions, and the Confeſſion of the Propriety of the Motion, let the Houſe determine. It muſt ſurely be confeſſed, that it is not neceſſary to adviſe what is already determined.

'Nor

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' Nor is it leſs evident, that many of the Officers whoſe Intereſt is now ſo warmly ſolicited, muſt be incapacitated by their Age for Service, and unable to receive any Benefit from the Offer of new Commiſſions. To deny this, is to queſtion the Flux of Time, or to imagine that the Conſtitution of a Soldier is exempt from its Injuries.'

Mr. Sandys.

SIR,

Sam. Sandys, Eſq;

' I am far from intending by this Motion to fill the Army with decrepid Officers, or to obſtruct in any manner the Service of the Public; nor have I any other Intention, than to ſecure to thoſe whoſe Years permit, and whoſe Inclinations incite them to enter once more into the Army, that Preferment to which they have a Claim, not only from their paſt Services, but from the State of Penury and Obſcurity in which they have languiſhed.

' I deſire to preſerve thoſe whoſe Valour has heretofore made our Nation the Terror of the World, from the Mortification of ſeeing themſelves inſulted by Childhood, and commanded by Ignorance; by Ignorance exalted to Authority, by the Countenance of ſome Rhetorician of the Houſe, or ſome Mayor of a Borough.

' Whoever has obſerved the late Diſtribution of military Honours, will eaſily diſcover that they have been attained by Qualifications very different from Bravery, or Knowledge of the Art of War; he will find that Regiments and Companies are the Rewards of a ſeaſonable Vote, and that no Man can preſerve his Poſt in the Army, whether given him as the Reward of acknowledged Merit, or ſold him for the full Value, any longer than he employs all his Influence in favour of the Miniſtry.

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

' It has been already admitted, that the Motion can only be objected to as ſuperfluous, and therefore all farther Debate is mere Waſte of Time without any Proſpect of Advantage, nor is any thing now neceſſary, but to review the Motion, and correct ſuch Expreſſions as may be thought inaccurate or improper.

' That *all* the Half-pay Officers are not able to enter into the Service, has been already ſhewn, and therefore I ſhould imagine, that inſtead of *all the Officers*, we might very juſtly ſubſtitute *Officers properly qualified*.'

Sir

Sir John Barnard.

Sir,

'Tho' I cannot diſcover the Neceſſity of any Alteration, ſince it cannot be conceived that the Parliament can adviſe Impoſſibilities, yet ſince ſo much Accuracy is affected, it may be allowed that the Word *all* ſhall be left out, as ſeeming to imply more than can be intended. Sir John Barnard.

'But the Honourable Gentleman is not, in my Opinion, ſo happy in his Amendment, as in his Objection; for the Words *properly qualified* convey to me no diſtinct Idea. He that is *qualified*, is, I ſuppoſe, *properly qualified*, for I never heard of *improper Qualifications*; but if the Word *properly* be omitted, I have no Objection to the Amendment.'

Reſolved, *Nemine Contradicente*, That an humble Addreſs be preſented to his Majeſty, that, for the preſent and future Eaſe of his Majeſty's Subjects, he would be graciouſly pleaſed to employ in his Army ſuch Perſons as now remain upon Half Pay, who are qualified to ſerve his Majeſty.

In a grand Committee took the Bill to prohibit the Exportation of Corn, &c. into Conſideration, and after Debate, reſolved to proceed further on the ſame on Monday next; Ayes 147, Noes 131.

The 15th. Read a third Time, and paſſed the Land-Tax-Bill.

Read a firſt Time, a Bill to amend the Law concerning common Recoveries; and to explain and amend an Act 29th K. Charles II. for Prevention of Frauds and Perjuries, ſo far as the ſame relates to Eſtates, *per Auter Vie*.

Received the Report of his Majeſty's Anſwer to their Addreſs of Friday laſt, viz. "I ſhall always have a due "Regard for my Half-pay Officers, and ſhall employ ſuch of "them as are properly qualified for the Service."

Agreed to the Report of the Reſolution on Ways and Means, viz. Reſolved, that the Duties on Malt, Mum, Cyder and Perry, be further continued to the 24th of June, 1742. Ordered in a Bill accordingly.

A Motion being made, and the Queſtion being put, that Mr. John Meres, who was committed to the Cuſtody of the Serjeant at Arms, and ordered to be proſecuted by the Attorney-General, for printing Part of a ſcandalous Libel on the Embargo, &c. in the Daily-Poſt, December 1ſt, 1740. be carried before one of the Juſtices of the Court of King's Bench, in order to be admitted to Bail for his Appearance on the firſt Day of next Term; and when he has given ſuch

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Security, that he be diſcharged out of Cuſtody, paying his Fees: It paſſed in the Negative; Ayes 90, Noes 151.

Made a further Progreſs on the Corn Bill.

The 16th. Read a firſt Time, a Bill for continuing the Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year 1741.

Made a further Progreſs on the Bill to prohibit for a limited Time the Exportation of Corn, &c.

The 17th. Read a ſecond Time the Malt Bill.

In a Grand Committee went thro' the Corn Bill with ſeveral Amendments.

Received a Petition of the Governor and Company of Merchants of England trading to the Levant Seas, praying to be heard againſt the Petition of the Ruſſia Company for opening a new Trade thro' Ruſſia to Perſia.

Ordered in an Account of the Butter imported into London for ſeven Years paſt, ending at Lady-Day, 1740.

The 18th. Read a ſecond Time, a Bill for regulating Trials at *Niſi Prius*, and for the more effectual ſummoning of Special Juries, and committed it for the 15th of January.

Read a ſecond Time, a Bill to amend the Law concerning common Recoveries, and to amend an Act 29th K. Charles II. for Prevention of Frauds and Perjuries, &c. and committed it for the 16th of January.

Mr. Speaker reported, That the Houſe had attended his Majeſty in the Houſe of Peers, where his Majeſty was pleaſed to give the Royal Aſſent to

Royal Aſſent given to the Land-Tax-Bill.

An Act for granting an Aid to his Majeſty by a Land-Tax to be raiſed in Great Britain for the Service of the Year 1741, and to one private Act.

Went into a grand Committee on the Petition of the Ruſſia Company, &c. and examined ſeveral Levant Traders againſt the ſaid Petition; then came to a Reſolution thereupon.

The 19th. Received Part of the Report on the Corn-Bill, and ordered the further Part to be conſidered on the 13th of January.

Agreed to the Report of Yeſterday's Reſolution, viz. Reſolved, That the opening of a Trade to and from Perſia thro' Ruſſia, will be a great Advantage to this Kingdom; and particularly, in promoting the Conſumption of the Woolen-Manufactures thereof.

Ordered in a Bill accordingly.

Received a Petition from the City of London, complaining of the Ineffectualneſs of an Act 3d of King James I. for the recovering of ſmall Debts, and for the relieving of poor Debtors in London. And praying for leave to bring in

in a Bill to explain and amend the ſame. Leave was given accordingly. Anno 14, Geo II. 1740.

Deferred going into a Committee on the Malt-Bill till the 7th of January.

Deferred going into a Committee on Ways and Means till the 7th of January.

Deferred going into a Committee on the Supply till the 9th of January.

Then adjourned till the 7th of January.

Jan. 7. Received ſeveral Petitions from Priſoners confined for Debt in the Jails of Lancaſter, Ivelcheſter, Exeter, Stafford, Ludgate, Newgate, Woodſtreet and Poultry Compters, praying Relief, &c. which were ordered to lie on the Table.

Read a firſt time, a Bill for the more eaſy Recovery of ſmall Debts.

Reſolved, *Nemine contradicente*, That an humble Addreſs be preſented to his Majeſty, to congratulate his Majeſty upon the Increaſe of the Royal Family, by her Royal Highneſs the Princeſs of Wales being happily delivered of a Princeſs.

Reſolved, *Nemine contradicente*, That a congratulatory Meſſage be ſent to their Royal Highneſſes the Prince and Princeſs of Wales, on this happy Occaſion.

In a grand Committee went thro' the Malt-Bill, with ſeveral Amendments.

The 8th. Agreed to the Report of the Malt-Bill, and ordered it to be engroſſed.

Received the Report of his Majeſty's Anſwer to their congratulatory Addreſs, &c.

The 9th. Received a Petition of the Commiſſioners for building a Bridge croſs the River Thames at Weſtminſter, praying for further Sums of Money to enable them to carry on the ſame. Referred to a Committee.

The 12th. Read a third time, and paſſed the Malt-Bill; ordered it to the Lords.

Received a great Number of Papers, &c. ordered to be addreſſed for on the 26th of November laſt.

Agreed to the Report of the following Reſolutions on the Supply, viz. Reſolved, that 2625l. 4s. 3d. be granted to make good the Deficiency of the general Fund for the Year ending at Michaelmas 1740. Several Deficiencies made good.

That 5021l. 10s. 1d. be granted, to replace to the Sinking-Fund the like Sum paid out of the ſame, to make good the Deficiency of the additional Stamp-Duties at Chriſtmas 1739.

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That 20,000l. be granted to replace to the Sinking-Fund the like Sum paid out of the ſame to the Bank of England, for one Year's Intereſt of 500,000l. lent on Credit of the Salt Duty, towards the Supply of the Year 1735.

That 23711l. 8s. 6d. be granted to replace to the Sinking-Fund, the like Sum paid out of the ſame, to make good the Deficiency of the Duty of 12s. per Barrel on Sweets, &c. at Michaelmas 1739.

The 13th. Read a firſt time, a Bill for opening a Trade to and from Perſia thro' Ruſſia.

Read a ſecond time, a Bill for the more eaſy Recovery of ſmall Debts.

The Houſe made a further Progreſs on the Report of the Corn-Bill, and conſidered ſeveral Petitions concerning the ſame.

The 14th. Received a Petition of the Royal African Company of England, praying for a further Supply. Ordered that ſeveral Eſtimates relating to the ſame be laid before the Houſe.

Made a further Progreſs on the Report of the Corn-Bill.

The 15th. The Houſe finiſhed the Report of the Corn-Bill, and ordered it to be engroſſed.

The 16th. A Motion was made, and the Queſtion being put, That leave be given to bring in a Bill to explain and amend an Act paſſed laſt Seſſion to reſtrain the exceſſive Increaſe of Horſe-Races; it paſſed in the Negative, on a Diviſion, Ayes 15, Noes 158.

Received a Petition of the Dean and Chapter of St. Peter's, Weſtminſter, praying for a further Sum towards the Repairs of the ſaid Cathedral. Referred to the Committee on the Supply.

In a grand Committee went thro' the Bill to amend the Law concerning common Recoveries, and to explain an Act 29th King Charles II. for Prevention of Frauds and Perjuries, ſo far as the ſame relates to Eſtates, *per auter Vie*, with ſeveral Amendments.

The 19th. The Houſe proceeded to the hearing of the Petition of John Dodd, Eſq; complaining of an undue Election and Return of William Strode, Eſq; for the Borough of Reading, in Berkſhire; and the Counſel were called in, and ſeveral Witneſſes for the Petitioner were examined at the Bar of the Houſe; after which, the Counſel on both Sides were directed to withdraw.

Deferred the Call of the Houſe to the 3d of February.

The 26th. Reſolved, That an humble Addreſs be preſented to his Majeſty, for a Liſt of ſuch Commiſſion and Warrant Officers as are now upon Half-pay in the Navy, together

together with an Account of their reſpective Ages, and the Dates of their firſt Commiſſions, and how long and how often they have been employed, to be laid before the Houſe.

Received a Petition of divers Merchants, and Owners of Ships, praying for leave to bring in a Bill for explaining and amending an Act 12th of Queen Anne, for providing a public Reward for ſuch Perſon or Perſons, as ſhall diſcover the Longitude at Sea: And the ſame was referred to a Committee.

Heard Counſel further on the Merits of the Reading Election; and ſeveral Witneſſes were called in, and examined, in order to diſqualify the Votes for the ſitting Member. Then the Counſel on both Sides were directed to withdraw.

The 21ſt. Received an Account, ſhewing how the Money given for the Service of the Year 1740, hath been diſpoſed of, diſtinguiſhed under the ſeveral Heads, until the 19th of January, 1740-41, and the Parts thereof remaining unſatisfied, with the Overplus thereon.

Received a Petition of the Painters of Fan-Mounts in and about the Cities of London and Weſtminſter, ſetting forth, That about three Years ago, ſeveral Perſons procured Copper-Plates for the printing of Fan-Mounts, by which means many of the Artiſts are reduced to the utmoſt Diſtreſs for want of Employment; that one Engraver and two Painters are able to furniſh more printed Fan-Mounts in a Month's Time, than this Kingdom makes uſe of in a Year; and one Perſon employed in the waſhing of theſe printed Fan-Mounts, will colour more in three Days than one Painter can paint in a quarter of a Year: That by the Introduction of printed inſtead of well painted Mounts for Fans, the Art of painting Fan-Mounts, which was brought to great Perfection, is greatly diſcouraged, and the Exportation of Fans, with painted Mounts, which brought into this Kingdom a large Sum of Money annually, almoſt entirely loſt to Great Britain: And therefore praying the Houſe to grant them ſuch Relief, as to them ſhall ſeem meet. Referred to a Committee.

Read a firſt time, a Bill to render the Laws more effectual for preventing the ſtealing and deſtroying the Sheep and other Cattle.

Received a Petition of the Truſtees for eſtabliſhing the Colony of Georgia in America, praying for a farther Sum of Money, &c. Referred to the Committee on the Supply.

Received ſeveral Eſtimates of Accounts.

The 22d. William Cooley, (who was committed to Newgate on December the ſecond, for being the Author and Publiſher

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liſher of a malicious and ſcandalous Libel, entitled Conſiderations upon the Embargo on Proviſion of Victual) was brought to the Bar, and having upon his Knees received a Reprimand from Mr. Speaker, was ordered to be diſcharged out of Cuſtody, paying his Fees.

Read a firſt time, a Bill to explain and amend an Act 3d of King James I. for the Recovery of Small Debts, and for the relieving of poor Debtors in London.

Agreed to the Report of the Bill to amend the Law concerning common Recoveries, and to explain and amend an Act 29th of King Charles II. for Prevention of Frauds and Perjuries, &c. Ordered it to be engroſſed.

Agreed to the Report of yeſterday's Reſolutions on the Supply, viz.

Several Sums granted.

Reſolved, That 184,691l. 10s. 10d. be granted to his Majeſty for the Ordinary of the Navy, including Half-pay to Sea Officers for 1741.

That 115,225l. 3s. 7d. be granted for the Charge of the Office of Ordnance for Land Service for 1741.

That 76,071l. 1s. 4d. be granted for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

That 266,512l. 16s. 5d. be granted for maintaining the Forces in the Plantations, Minorca, Gibraltar, Georgia, &c. for 1741.

That 4000l. be granted towards repairing the Collegiate Church of St. Peter's, Weſtminſter.

Proceedings on the Reading Election.

The 23d. Heard Counſel farther on the Merits of the Reading Election: And in order to qualify ſome Perſons who voted for the ſitting Member, Thomas Houſe produced a Certificate ſigned by two Juſtices of the Peace; and the Counſel for the ſitting Member having objected to the Admiſſion of that Paper in evidence, the Hand-writing of the ſaid Juſtices not being proved; and the Counſel for the Petitioner having been heard by way of Reply: The Counſel on both Sides were directed to withdraw.

After Debate, it was Reſolved, That a Paper dated 29th March, 1728, purporting to be a Certificate from the Pariſh of Woodley in the County of Berks, to the Pariſh of St. Lawrence in the Borough of Reading, ſigned by two Juſtices of the Peace, allowing the ſaid Certificate, and now produced by Thomas Houſe, who acts for his Brother as an Overſeer of the Poor of the ſaid Pariſh of St. Lawrence, be admitted to be read in Evidence, altho' the Hand-writing be not proved: On a Diviſion, Ayes 145, Noes 144.

The Corn-Bill paſſed.

The 24th. Read a third time, and paſſed the Bill to prohibit for a Time therein limited, the Exportation of Corn,

Corn, Grain, (Rice excepted) Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork and Bacon; and ordered it to the Lords. Anno 14, Geo. II. 1740.

Read a ſecond time the Bill for preventing Sheep-ſtealing, &c.

Then Mr. Waller offered the following Motion in Writing, That an humble Addreſs be preſented to his Majeſty, that he will be graciouſly pleaſed to give Directions that there may be laid before this Houſe Copies of two particular Letters written by his Majeſty's Secretary of State to Admiral Haddock, which had been Addreſſed for before, and of the Letters received from Admiral Ogle mentioned therein; together with all Letters written by Admiral Haddock to either of his Majeſty's Secretaries of State, concerning the ſaid Letters, and the Execution of the Orders contained therein. Motion for two Letters ſent to Admiral Haddock.

Which Motion he ſupported to the following Effect, Debate thereon.

SIR,

' No Man who conſiders the preſent Situation of our Affairs, the Expence and Inefficacy of our Military Preparations, the Appearance of Negligence in our Naval Expeditions, and the general Diſappointment of the Hopes which the Nation had conceived of Victories, Vengeance, and Reparations, can, in my Opinion, doubt the Expediency of the Motion which I have taken the Liberty to make. Mr. Waller.

' When the Expectations of the Nation are deceived, it certainly becomes thoſe who are deputed to watch over the Proſperity of the Public, to enquire whence the Diſappointment proceeds, and either to inform their Conſtituents that their Uneaſineſs ariſes from their own Error, and that their Hopes are deſtroyed becauſe they had no rational Foundation; or to detect the weak Management of thoſe by whom the public Meaſures have been ill conducted, or the national Treaſure has been miſapplied.

' With regard, Sir, to the preſent War, I know not how the Nation can be charged with having formed unreaſonable Expectations. If they conſidered the Speech from the Throne as the moſt authentic Declaration of the Intentions of the Government, they found there the warmeſt Reſentment of the Injuries which they had ſuſtained, and the ſtrongeſt Aſſurances of a vigorous Proſecution of all thoſe Meaſures which might produce ſpeedy Recompence and inviolable Security.

' If they reflect, Sir, on the Preparations for War, on the Multitude of Ships, the Demand of Materials for Naval Equipments, and the high Prices at which Workmen were retained

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retained, they could not but imagine that either ſome mighty Attempt was deſigned, or ſome formidable Enemy dreaded; and as they know not whom they had to fear, they aſcribed the Vigour of our Proceedings to a Reſolution of humbling our Enemies by one fatal Blow, and reeſtabliſhing our Naval Dominion by a ſingle Effort.

'And juſtly, Sir, might they indulge this pleaſing Imagination, with Reaſon might they anticipate a Triumph over an Enemy whoſe Strength bears no Proportion to the Force that was fitted out againſt them, and expect that in a few Months they ſhould ſee the Embaſſadors of Spain ſupplicating for Peace.

'To raiſe their Expectations yet higher, their Trade was ſuſpended by an Embargo, long continued, and in the ſtricteſt Manner enforced, and the Impreſſes were let looſe upon the Sailors; they ſaw nothing omitted, however grievous to the Nation, that could contribute to make it formidable, and bore Part of the Miſeries of War without Impatience, in Hopes of being rewarded by military Glory, and repaid by the Plunder of Spain.

'But, Sir, when ſo long a Time has elapſed, and no Account is brought, of either a Victory or a Battle, when they hear nothing but that our Fleets have viſited ſeveral neutral Ports, and thoſe of the Enemy ſailed unmoleſted from Coaſt to Coaſt, and when they are every Day told of the Loſſes of our Merchants, who are inſulted in our own Channel by the Spaniſh Privateers, and receive no Relations of our Succeſs upon the Shores of our Enemies, can it be wondered that they ſuſpect the Reality of our Deſigns, or enquire whence it proceeds that their Money has been waſted, their Trade interrupted, and the Liberty of their Fellow-Subjects invaded to no Purpoſe?

'But how much more juſtly, Sir, are they inflamed when they hear of the lucky Stratagems, or daring Enterprizes of thoſe Enemies, which a juſt Senſe of their own Superiority had induced them to conſider as vanquiſhed before the Battle, and of whom they had no Apprehenſions but that their Cowardice would always ſecure them from Vengeance? How juſtly may they murmur when they read that our Fleets leave every Part of the Enemy's Coaſt where their Preſence is neceſſary, and have afforded the Spaniards an Opportunity of changing one Port for another, as it is moſt convenient, and at length of joining the French Squadrons, and ſailing to the Defence of their American Dominions.

'May they not juſtly, Sir, require of their Repreſentatives ſome Reaſon for ſuch inexplicable Conduct? May they not reaſonably demand an Account of the Arguments which procured

procured their Approbation of Meaſures, which, ſo far as they can be examined by thoſe who have no Opportunity of peruſing the neceſſary Papers, appear either cowardly or treacherous? Anno 14, Geo. II. 1740.

'And what Anſwer, Sir, can we return to ſuch Remonſtrances, unleſs this Motion be agreed to? How can we appeaſe the Diſcontents of our Conſtituents, or diſcharge the Truſt repoſed in us, without a very minute and attentive Enquiry into Queſtions thus obſcure, and thus important.

'Are we are to tell our Conſtituents, that we abſolutely rely upon the Prudence and Fidelity of the Miniſtry and Admirals, and recommend to them the ſame implicit Dependance? Are we to confeſs that we have now for two Seſſions voted in the dark, and approved what we were not ſuffered to examine and underſtand?

'Such Anſwers, Sir, to Queſtions ſo reaſonable, will not contribute to increaſe the Veneration of the People either for ourſelves, or our Conſtitution; and yet this Anſwer, and this only, they can receive from us, if the Papers mentioned in the Motion I have made are denied.'

Mr. Clutterbuck.

SIR,

'This Motion, tho' ſo warmly urged, and ſo artfully ſupported, I can conſider only as a Repetition of a former Motion which was approved by this Aſſembly, ſo far as it could properly be complied with, nor was any Paper then concealed which it would not have been an Injury to the Nation to have divulged. Mr. Clutterbuck.

'If the Deſign of this Motion be to promote the Succeſs of the preſent War, and the Zeal, with which it has been preſſed, be incited only by the Ardour of true Patriotiſm, I doubt not but it will eaſily be withdrawn, by thoſe who are now moſtly inclined to ſupport it, when they ſhall reflect that it tends to the Diſcovery of our Schemes, and to the Overthrow of our Deſigns, that it will expoſe all our Conſultations to our Enemies, and inſtruct them how to annoy us with moſt Succeſs, and how to ſhelter themſelves from our intended Attacks.

'It is the firſt Care, Sir, of every Adminiſtration, that their military Deſigns ſhould only be diſcovered by the Execution of them, and that their Enemies, by being obliged to guard all Parts, ſhould be weak in all: If by laying our Papers before this Houſe, the Spaniards ſhould come to be informed againſt what Part of their Dominions our Expeditions are deſigned, will they not increaſe their Strength, improve their Fortifications, and double their Vigilance?

Anno 14, Geo. II. 1740.

and if we are thus obliged to form new Schemes, muſt we not impute the Defeat of the former to our own imprudent Zeal, or unſeaſonable Curioſity?

Mr. Sandys.

SIR,

Sam. Sandys, Eſq;

'That we ſhould demand the Schemes laid for the future Conduct of the War with Spain was never propoſed, nor, as it may reaſonably be concluded, ever imagined; for what is mentioned in the Motion but the Papers relating to the Tranſactions of the two laſt Years?

'That it ſhould be neceſſary to remind Gentlemen of the Difference between the *future* and the *paſt*, would hardly be ſuſpected by any Man not accuſtomed to parliamentary Controverſies and Artifices of State; and yet in the Argument which has been offered againſt the Motion, nothing has been aſſerted, but that the Orders relating to paſt Tranſactions are not to be laid before us, leſt the Enemy ſhould thereby gain Intelligence of what we now deſign againſt them.

'The Neceſſity of Secrecy in War needs not to be urged, becauſe it will not be denied; but when Deſigns have been laid, and miſcarried, the Reaſons of that Miſcarriage may ſurely be enquired into without Danger of betraying the Councils of our Country.

'If the Negligence of our Councils, and the Miſconduct of our Commanders has been ſuch, that no Deſigns have been premeditated; if a War has been carried on by Chance, and nothing has ſucceeded becauſe nothing has been attempted; if our Commanders have not done ill, and have only done nothing; if they have avoided Loſs by avoiding Danger, we may ſurely enquire to whom ſuch Proceedings are to be imputed, whether the Defeat of our Deſigns is to be charged upon the Strength of the Enemy, or the Cowardice of our Officers; or whether the Inactivity and apparent Neutrality of our Forces is occaſioned by the Negligence of our Admirals, or the Irreſolution of our own Miniſtry.

'There have been, Sir, many Incidents in theſe two laſt Years, of which the Examination can be of very little Advantage to the Spaniards; I do not know what pernicious Intelligence they can glean from an Enquiry into the Reaſons for which Haddock's Fleet was divided, and Ogle ſent to the Defence of Minorca, or for which he afterwards returned.

'Nor can I conceive that any Advantage, except that of Merriment and Diverſion, can be thrown into the Hands of our Enemies, tho' we ſhould ſeriouſly enquire into what no Man has yet pretended to underſtand, the wonderful Eſcape

of

of the Spaniſh Squadron. A Tranſaction on which we had dwelt long enough with that Admiration which Ignorance produces, and on which it may not be improper at length to enable us to reaſon. Anno 14, Geo II. 1740.

'This is an Affair perhaps much better underſtood by our Enemies than by ourſelves, and ſurely we cannot therefore be afraid of informing them of it; at leaſt ſince the Fleet has long ſince ſailed out and left their Coaſt, we can hardly be reſtrained in our Enquiries by the Fear of diſcovering our *future* Deſigns.

'If therefore it be the unconteſtable Right of the Houſe to examine the Conduct of public Affairs, which I ſuppoſe will ſcarcely be denied, this Motion cannot be rejected as unſeaſonable, nor can the Papers be refuſed without increaſing thoſe Suſpicions which already are too prevalent throughout the Nation.

'Nor indeed, for our own ſakes, ought we to delay this Enquiry any longer, leſt by having long acted without being accountable, the Miniſter ſhould form a Preſcription againſt our Privilege, and in Time tell us in plain Terms that we are his Slaves, and that we are not to preſume to carry our Examinations, however ſolemn and important they may continue to appear, further than he ſhall be pleaſed to permit; and that whatever may be the Opinion of the People that depute us, or whatever antient Claims we may plead to Authority, we are now to conſider ourſelves only as the Oppreſſors of the Nation, and the Panegyriſts of the Court.'

Mr. Horatio Walpole.

Sir,

'It cannot be denied to be reaſonable that all thoſe Papers ſhould be laid before the Houſe which can be communicated without Injury to the Public. Of this Number we may juſtly imagine the Orders ſent to the Admirals, in which the Time of their Departure is fixed, and many others which may be of Uſe to inform the Houſe, but cannot enable the Enemy to judge either of our Force, or our Deſigns. Mr Horatio Walpole.

'But it is evident that there muſt be others included in this Motion, which our Regard for the Succeſs of the War, and the Proſperity of our Country, ought to determine us to conceal, and ſuch as are never expoſed by any Adminiſtration; it is therefore proper to limit the Addreſs to Papers of a certain kind, or a certain Date, which may be conſidered by the Houſe without Benefit to our Enemies, and for the Examination of which a Day or two will be more than ſufficient.'

Anno 14, Geo II 1741

Mr. Pulteney.

SIR,

Mr. Pulteney.

'I know not what Number of Papers the Wiſdom of the Adminiſtration will allow us, but, if we judge by the Time propoſed to be ſpent in Examination, we ſhall not be diſtracted with a great Diverſity of Subjects; Intelligence will be very penuriouſly dealt out, and if we ſubmit to their Choice of the Writings, which ſhall be laid before us, our Enquiry will probably end without any Diſcoveries made either by our Enemies, or ourſelves.

'But, I hope, Sir, we ſhall not be ſo cheaply ſatisfied, nor expoſed by the Fear of one Enemy, to the Inſolence of another. I hope we ſhall reſolutely continue our Demands of Information, while a ſingle Line is concealed, from which any Light can be expected.

'There may indeed be Circumſtances in which our Demands, however loud, will neceſſarily be vain. It is not impoſſible that we may ſuſpect thoſe Tranſactions of deep Art, and ſecret Contrivance, which have been the Conſequences of mere Indolence, and Want of Conſideration. Our great Miniſters have been, perhaps, only doing nothing, while we have imagined that they were working out of Sight.

'Miſled, Sir, by this Notion, we may call for the Orders that have been diſpatched in theſe two laſt Years, when perhaps our Secretaries of State have been fattening on their Salaries, without Employment, and have ſlept without Cure and without Curioſity, while we have been congratulating ourſelves upon their Vigilance for our Preſervation.

'Or if Orders have been given, it is to be conſidered, that the End of inſpecting Orders is to compare them with the Conduct of the Admirals to whom they were directed; from this Compariſon I doubt not but many Gentlemen expect uncommon Diſcoveries; but to check all unreaſonable Hopes before they have taken Poſſeſſion of their Hearts, for unreaſonable Hopes are the Parents of Diſappointment, I think it proper to remind them, that to draw any Concluſions from the Orders, it is neceſſary to underſtand them.

'This Conſideration alone is ſufficient to repreſs the Ardour of Enquiry, for every Man that has had Opportunities of knowing the wonderful Accompliſhments of our Miniſtry, the Depth of their Deſigns, the Subtilty of their Stratagems, and the Cloſeneſs of their Reaſoning, will eaſily conceive it probable that they might ſend ſuch Orders as none but themſelves could underſtand; and what then will be the Conſequence of our idle Curioſity, but, that we may be led into

into a Labyrinth of endleſs Conjectures? For we have long ago found, that no Explanations are to be expected, and that our Miniſtry are too wiſe to diſcover their Secrets to their Enemies. Anno 14, Geo. II. 1740.

'Let us, therefore, examine the naked Facts, which have fallen within our Obſervation, and endeavour to inform ourſelves of the Meaning of theſe ſecret Orders by the Execution of them.

'Admiral Ogle was diſpatched from Haddock's Fleet to protect Minorca, and in his Abſence the Spaniſh Squadron ſailed away. Perhaps he was ordered to watch Ferrol and Minorca at the ſame time, and not underſtanding how that was to be done, neglected what was to be done, neglected one part of his Charge by an Attention to the other; as a Watchman who ſhould be employed to guard at once the Bank in London and the Treaſury in Weſtminſter.

'Admiral Norris, Sir, ſailed lately forth, I ſuppoſe in purſuance of Orders, with a very formidable Fleet, and after having loſt Sight for ſome Days of the Britiſh Coaſt, ſailed back again with great Precipitation. Whether his Orders, were only to ſail forth, or whether when he examined them farther he could not underſtand them, I pretend not to determine; but it may reaſonably be imagined that his Orders were of the ſame kind with thoſe of our other Admirals, becauſe they produced the ſame Conſequences.

'I have been told that formerly our Commanders were ordered to burn, ſink, and deſtroy; and that in thoſe Times it was not uncommon for a Britiſh Admiral to do much Miſchief with a ſtrong Fleet; but it is evident that the Stile is ſince changed, for Admirals are now very inoffenſive, and go out only to come back. I therefore think the Motion highly neceſſary, and ſuch as ought to be complied with.'

Admiral Norris.

SIR,

'I am not conſcious, that my Conduct in any Part of my Life has expoſed me to be juſtly treated with Contempt and Ridicule, and what I have not deſerved I will not bear. Admiral Norris.

'If any Gentleman in this Houſe can accuſe me of having neglected my Duty or deſerted it, let him not ſpare Inſults or Invectives, let him now expoſe my Cowardice or my Careleſneſs, let him prove me unworthy of Truſt or of Command.

'But my own Conſcience acquits me, and I defy any Man, to produce and ſupport his Accuſation; nor can you, Sir, * who have thus contemptuouſly treated me, alledge any Thing againſt

* *Addreſſing himſelf to Mr. Pulteney.*

Anno 14, Geo II 1740.

againſt me that may juſtify your Neglect of Decency; that you have tranſgreſſed the Rules of Decency is the ſofteſt Cenſure that your Behaviour admits, and I think it may, with equal Propriety, be aſſerted, that you have broken the Laws of Juſtice.'

Mr. Pulteney.

SIR,

Will. Pulteney, Eſq;

'I ſhall ſubmit to you, and all who hear me, Whether I have treated the honourable Gentleman's Name with any contemptuous Freedom of Speech. The uſual Method of mentioning an Expedition, is that of naming the Commander, who is not thereby neceſſarily included in the Cenſure of an unſucceſsful Attempt, and I am very far from calling his Courage, and Capacity into Queſtion.

'Not that I ſhall ever think it neceſſary to make an Apology for expreſſing my Sentiments with Freedom as a Member of this Houſe, in which I ſhall always ſpeak what I think, and in what Manner it ſhall appear to me moſt proper; nor ſhall I fear to repeat without Doors what I ſay here.'

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

'As I am not acquainted with any Meaſures purſued by the Adminiſtration which it is their particular Intereſt to conceal, I am deſirous that all Papers ſhould be laid before the Houſe which will not afford our Enemies any Opportunity of obviating our Deſigns.

'What Neceſſity there is for this Addreſs, I cannot indeed diſcover, becauſe I know not any Foundation for Suſpicion of either Negligence or Treachery, which have been both inſinuated in this Debate.

'Nor are the Miniſtry, however ludicrouſly their Abilities have been treated, afraid of diſcovering their Ignorance by laying before the Houſe the Orders which they have given to our Admirals, Orders of which they are far from doubting that they will appear, upon a candid Examination, rational and proper.

'The chief Objection to this Motion ariſes from its Unſeaſonableneſs, and the Neceſſity which it will produce of aſſigning to a fruitleſs Enquiry thoſe Hours that may be more uſefully employed.'

Mr. Pit.

SIR,

Mr. Pit.

'It is my Opinion, that our Time cannot be more uſefully employed during a War, than examining how it has been conducted,

conducted, and ſettling the Degree of Confidence that may be repoſed in thoſe to whoſe Care are entruſted our Reputations, our Fortunes, and our Lives. Anno 14. Geo II. 1740.

'There is not any Enquiry, Sir, of more Importance than this; it is not a Queſtion about an uncertain Privilege, or a Law, which if found inconvenient may hereafter be repealed; we are now to examine whether it is probable that we ſhall preſerve our Commerce and our Independance, or whether we are ſinking into Subjection to a foreign Power.

'But this Enquiry, Sir, will produce no great Information, if thoſe whoſe Conduct is examined, are allowed to ſelect the Evidence. For what Account will they exhibit but ſuch as have often already been laid before us, and ſuch as they now offer without Concern. Accounts obſcure and fallacious, imperfect and confuſed; from which nothing can be learned; and which can never entitle the Miniſter to Praiſe, tho' they may ſcreen him from Puniſhment.'

Mr. Pelham.

SIR,

'I am confident that no man engaged in the Adminiſtration, deſires to be ſcreened from the moſt rigorous Enquiry, or would defer to exhibit the Papers a Moment for any other Reaſon than his Regard for the Public. Mr. Pelham.

'I am confident, that nothing could ſo much contribute to advance the particular and diſtinct Intereſt of the Miniſtry as the Publication of all the Writings that relate to the preſent War, by which it would inconteſtably appear, that nothing has been omitted that could promote our Succeſs, that our Commanders have been ſent out with Orders to act with the utmoſt Vigour, and that our Preparations have not been diſproportioned to the Importance of our Deſigns.

'It will appear that no former Miniſtry have given greater Proofs of their Zeal for the public Intereſt, or have more ſteadily purſued the moſt proper Meaſures by which it might be advanced.

'I am not indeed certain that thoſe who now call ſo loudly for Information would be prevailed on by any Degree of Evidence to ſuſpend their Cenſures. Them, who are now diſſatisfied, I ſhall deſpair of influencing by Reaſon or Teſtimony; for they ſeem to enquire only to condemn; nor is this Motion perhaps made ſo much for the ſake of obtaining Information, as of harraſſing the Miniſtry with Delays and ſuſpending Affairs of greater Importance.'

Ordered an Addreſs to His Majeſty, for Copies of the Letters

Anno 14, Geo. II. 1740.

Letters written to and received from the Admirals, Haddock and Ogle, in 1739 and 1740, to be laid before them.

Alſo for a Copy of the Reaſons ſent by Admiral Cavendiſh, in Purſuance of an Order from the Admiralty, October the 12th. 1740, that had retarded the ſailing of Sir Chaloner Ogle's Squadron, ſo much beyond Expectation.

Alſo for a Copy of the Reaſons tranſmitted by Sir Chaloner Ogle, in Purſuance of an Order from the Duke of Newcaſtle, October the 23d, 1740, that did prevent him from ſailing purſuant to his repeated Orders for that Purpoſe; and particularly to thoſe ſent him by the Commiſſioners of the Admiralty, on the 14th of October, 1740.

Heard Counſel farther on the Merits of the Reading Election, and ſeveral Witneſſes were examined; and the Reſolution of the Houſe of the 4th of December, in the 7th of Queen Anne was read, whereby it was reſolved, That ſuch Perſons as had within two Years laſt received Kendrick's Charity, or any other annual Charity, diſtributed in the ſaid Borough, had not a Right to vote in Elections of Burgeſſes to ſerve in Parliament for the ſaid Borough.

The 27th. Read a firſt time, a Bill for licenſing the Importation of Victual from Ireland, and other Parts beyond the Seas into Scotland, in Time of Dearth and Scarcity.

Read a third time, and paſſed the Bill to amend the Law concerning common Recoveries; and to explain and amend an Act 29th of King Charles II. for Prevention of Frauds and Perjuries, ſo far as the ſame relates to Eſtates, *per auter Vie*; ordered it to the Lords.

Debate on the ſecond Reading of the Seamen's Bill.

Read a firſt time, a * Bill for the Encouragement and Increaſe of Seamen, and for the better and ſpeedier manning his Majeſty's Fleet. And a Motion being made for its being read a ſecond time, it occaſioned the following Debate.

Mr.

* *The Heads of the ſaid Bill were as follows:* " *That every able Seaman who ſhall have voluntarily ſerved on board the Royal Navy the Space of Years, ſhall be entitled to the yearly Penſion of , until he ſhall be provided for in the Royal Hoſpital for Seamen. That the Widow of every Seaman, under the Degree of a Warrant or Commiſſion-Officer, who entered voluntarily, and was killed or drowned in the Service, ſhall receive a Sum of Money, equivalent to one Year's Wages of ſuch Seaman That the Juſtices of Peace, &c. ſhall, upon proper Application, iſſue out Warrants to the Conſtables, Headboroughs, &c. to ſearch, by Day or Night, for all ſuch Seamen or Sea faring-men as ſhall withdraw or conceal*

Anno 14, Geo. II. 1740.

Mr. Gibbon.

SIR,

Mr Gibbon. Debate thereon.

'I have been always taught that the diſtinguiſhing Felicity of this Nation is general Liberty, Liberty not confined to the higheſt Claſſes of Men, but diffuſed thro' the whole Body of the People: For the Preſervation of this, our Anceſtors have ſtruggled in every Age; and for this only are

tual themſelves within their reſpective Juriſdictions. That the Conſtables, &c. ſhall bring ſuch Perſons as they ſhall apprehend before the Juſtices, &c. who, upon finding them to be ſuch Seamen or Sea-faring-men, ſhall cauſe them to be delivered over to the Perſons appointed to receive and conduct them, to be conveyed into his Majeſty's Sea Service. That in making ſuch general Search, it ſhall be lawful for the ſaid Officers appointed to make the ſame, to enter any Houſe where they ſhall ſuſpect ſuch Seamen to be concealed; and if Entrance be not readily admitted them, then to force open the Doors of ſuch Houſe, in order to make ſuch Search. That ſuch Conſtables, &c. ſhall appear before the ſaid Juſtices, &c. and give Account of the Execution of the reſpective Warrants and Precepts to them directed; and the ſaid Juſtices ſhall be empowered to puniſh them for any Neglect, Connivance, or other Offence in the Performance of his Majeſty's Services in the Premiſſes. That the Conſtable, or other Officer, ſhall have as a Reward for diſcovering and ſecuring ſuch Seamen. That whoever ſhall preſume to harbour or conceal any ſuch Seaman, or wilfully do any thing to hinder or fruſtrate the Search, or entice any Seaman to run away from his Conductor, for every ſuch Offence ſhall That the Juſtices of the Peace, &c. ſhall exhibit an Account of the Names of the ſeveral Perſons brought before them, with the Place where, the Time when, and the Officers by whom ſuch Perſons were impreſſed; and of the Conductors to whom ſuch Perſons were delivered. That a Regiſter ſhall be appointed to be kept in the Navy or Admiralty-Office, where the Names of every Perſon ſo impreſſed ſhall be entered, and the Ship they were to ſerve in, that ſo it may appear if ſuch Perſon was actually entered in his Majeſty's Service, and continues in the ſame. That the Act paſſed in the firſt Year of his preſent Majeſty, for encouraging Seamen to enter into his Majeſty's Service, whereby no Seaman in the ſaid Service can be arreſted for a Debt under 10l. ſhall ſo far take Effect, and be in Force in the Kingdom of Ireland, from March the 25th, 1741.

Anno 14. Geo II 1740.

the preſent Burden of Taxes born without Sedition, and almoſt without Complaint. While we preſerve, or fancy that we preſerve, our Liberty, we look without Envy on the Power, the Wealth, and Proſperity of the Slaves of arbitrary Monarchs. We account no Man proſperous whoſe Happineſs does not depend upon his own Conduct, and ſhould think it Folly to heap Wealth together, which might be taken away without our Conſent. For fear of loſing this great Privilege, we have endeavoured, at an immenſe Expence, to prevent the enormous Increaſe of any foreign Power, by which we might in Time be ſwallowed up, and reduced to the ſame State with the Provinces on the Continent. To this End we raiſe Armies and build Fleets, and pour into the public Treaſury the Produce of our Lands, and the Gain of our Commerce. But to what Purpoſe are our Labours, our Dangers, and our Expences to obviate the Deſigns of foreign Ambition, if we ſuffer Slavery to ſteal upon us in the Form of Law, and impair our Liberties by the Means employed to defend it.

'If the only Uſe of Armies and Fleets be to ſecure Freedom and Independency, nothing ſurely can be more abſurd than to raiſe them by Methods of Oppreſſion and Violence; nothing can be weaker than to ſend Men to fight for that Liberty, of which we have deprived them.

'That the Bill now before us reduces Multitudes of our Fellow Subjects to the Miſeries of Slavery, to the Malice of private, lurking Informers, and the hateful Inſults of petty Authority muſt appear to every Man that hears it. It condemns thoſe who have dedicated their Lives to the moſt uſeful Employment, and waſted their Strength in the moſt important Service of their Country, to be hunted like Beaſts of Prey, or like Murderers and Felons, whom it is the common Intereſt of Mankind to ſearch out and to deſtroy.

'Let any Man, Sir, once be called a Seaman, let any Man once become the Object of public Reſentment, by having contributed to the Wealth and Honour of his Country, and at laſt, from Wearineſs of Labour, Satiety of Profit, or Fear of Oppreſſion, incline to ſpend the reſt of his Life in Peace, the Hue and Cry ſhall be raiſed againſt him, Stratagems ſhall be contrived to entrap, or Violence employed to conſtrain him; he ſhall be purſued by the Officers of Juſtice, his Friends ſhall be obliged to betray him, and the Houſe broke open at Midnight that ſhall afford him Shelter.

'If this be the Condition to which any Man is expoſed by the Laws of Britain, he may ſurely be diſpenſed from hazarding his Life in their Defence; for what Alteration

can

can be made in them, by which his Condition will become worse?

Anno 14, Geo. II. 1740.

'If any particular Body of Men be marked out by the Legislature for Hardships like these, will not every one that can change his Employment, list himself in some other Class? And every Man who has been already so unhappy as to have engaged himself in this Profession, seek for better Treatment in a foreign Land?

'There are indeed, Sir, some Inconveniences arising from this Bill, which will not be confined to the Seamen; the Power granted to Officers to search a suspected, that is, any House which they shall be pleased to mark out, may affect every Man who has been so imprudent as to offend the Constable of his Parish, as he may revenge the Injury by a Declaration of Suspicion, and consequently by a nocturnal Visit at the Head of his Assistants.

'Nor is this, Sir, the most offensive Part of this Bill; one Clause of it tends to weaken the most sacred Tyes of Society, to make not only friendly Offices, but filial and conjugal Tenderness punishable by Law.

'The Penal Clause, by which every one is forbidden to conceal a Seaman without Exception of particular Reason or Relation, is, in my Opinion, Sir, the utmost Stretch of Tyranny. Let us dwell a while upon it, and suppose a Son condemned as a Criminal for sheltering his Father; let us suppose a Wife dragged thro' the Insolence of a Crowd, and called with all the Infamy of a Prostitute, to receive Sentence of Punishment for refusing to betray her Husband. To think on such Scenes as these, excites Indignation; and for my Part I shall oppose any Bill of this kind, lest the Execution of it should fire the Nation to Rebellion.

Mr. Horatio Walpole.

SIR,

'If any Severities are proposed by this Bill, or any Methods of Terror or Violence prescribed, it must be confessed that they can be justified by nothing but Necessity, and I hope those who shall speak in their Vindication, are not less affected by the Sense of them, though they are more convinc'd how much the present State of our Affairs requires such Methods than those that oppose them.

Mr. Horatio Walpole.

'How much of the Power of this Nation consists in our Fleets, and how useless Fleets are without Seamen, I am not to prove. Nor is it Sir, much less apparent, that Seamen are not to be procured by the common Methods, in Numbers sufficient for our present Armaments, and that therefore some others must be speedily contrived.

Anno 14, Geo II. 1740.

'It will be vain Sir, to expect, that a little Time will reconcile them to the Service, and that our Ships will ſoon be mann'd with Voluntiers; for the Fleets have taken away ſuch Numbers, that there remain, perhaps, not more than Five Thouſand in Britain; who, though they ſhould aſſemble at the Call of our Commanders, would be able to ſupply no formidable Navy.

'And that a Navy of uncommon Strength is neceſſary for the Honour and Support of Great Britain on this Occaſion, no Man can doubt: when he has been informed of what I have received from undoubted Intelligence, that a neighbouring Power, equally to be dreaded for its Ambition and its Strength, is now equipping 20 Ships of the Line, for which no apparent Reaſon can be given, nor any more probable, than that they are deſign'd to interrupt the Proſecution of the War. Such Dangers might vindicate us in the Uſe of violent and compulſive Methods of raiſing Forces, but none are in reality intended or propoſed, more ſevere than thoſe which were preſcribed by an Act paſſed in the Fourth of Queen Anne, at a Time when the Councils of the Nation were directed by Men whom we cannot eaſily ſuſpect of an Intention to injure Libery.

'That the Condition of Seamen will by this Act be made leſs independent than that of others, and the Methods of manning the Fleet have a more oppreſſive and arbitrary Form than thoſe by which the Land-Service is ſupplied, is not to be deny'd; but let it be remembred, Sir, that thoſe Inconveniences are balanc'd by the Rewards propoſed, by the liberal Proviſions made for thoſe whom the Chance of War ſhall diſable from ſupporting themſelves, and the Eaſe and Plenty to which they are entitled, who ſhall grow old in the Sea-Service.

Mr, Campbell.

'SIR,

Mr. Campbell.

'I know not the Import of the Term Slavery, if it means any State different from that with which Seamen are threatned by the Bill before us. If to loſe the Power of Choice, be to fall into Slavery, every Seaman, from the Inſtant this Bill paſſes, becomes a Slave; for he will not only be excluded from the Choice of his Courſe of Life, which yet every Freeman muſt neceſſarily enjoy, but from the Power of determining what Maſter he will ſerve.

'A Sailor, Sir, after having perhaps willingly entered himſelf, is either frighted away by the Oppreſſion of his Officers, or allured into the Service of Merchants by Proſpect of Advantage; but notwithſtanding his Apprehenſions on the

the one Side, and his Hopes on the other, he is to be ſeized by Violence, and condemned without a Crime to that Condition which he dreads and abhors. Anno 14, Geo. II. 1740.

'Nor is he only deprived of that Tranquillity and Content which every Man propoſes as the End of his Labours, by the Dread of Oppreſſion, or of the Penalties incurred by endeavouring to eſcape it, but is debarr'd from the Aſſiſtance of his Relations, and the kind Offices of his Friends; he is ſtripp'd at once of every thing that makes Life valuable. He is dragg'd to Tyranny and Hardſhips, he is puniſhed for endeavouring to avoid them, and involves in the ſame Miſery with himſelf, any Friend whom Charity or Gratitude ſhall prompt to protect him.

'To infer from the Scarcity of Seamen, that ſuch Severities are neceſſary, is to conſult nothing but that Luſt of Dominion by which Men are often incited to uſe violent Meaſures, leſt they ſhould ſeem to make too great Conceſſions by Softneſs and Moderation. The Scarcity of Seamen, if ſuch there be, muſt be imputed to the Hardſhips to which they are now expoſed, and it ſeems not very likely, when leſs Injuries have diminiſhed their Numbers, that greater will increaſe them.

'Sir, Men have been long diſcourag'd from entering into the Ships of War, by every Method that could be made Uſe of to diſguſt and offend them; Oppreſſions and Exactions have been too frequent among the Officers; Mock-Expeditions have raiſed their Expectations only to deceive them, and ſudden Diſcharges at Places remote from Opportunities of Employment, have plung'd them into Diſtreſs, and reduc'd them to Beggary. Surely when Men have been thus treated, it is no Crime to decline a Submiſſion to Cruelty, nor ought they to be puniſh'd for that Deteſtation of the Service which is produc'd only by the Conduct of others.

Mr. Clutterbuck.

SIR,

'As the Queſtion is not at preſent whether the Bill ſhall paſs or whether it ſhall be read a ſecond Time, I think any Diſquiſitions upon the Methods propoſed in it unreaſonable and ſuperfluous, and ſhall therefore not at preſent either offer or anſwer Objections. But if there be what no Gentleman has denied, a Neceſſity of finding out ſome Method of manning the Fleet, I conceive that every Scheme for that End deſerves to be conſider'd; for by conſidering and even rejecting bad Meaſures, we approach nearer to the Diſcovery of good ones. Mr. Clutterbuck.

'On ſuch Occaſions as this, Sir, the moſt expeditious Method

Anno 14, Geo II. 1740.

Method of Proceeding is undoubtedly the beſt; and as it is leſs tedious to amend an Imperfect Bill than to draw up a new one, it will be right to conſider this in the regular Way; we may then reject ſuch Clauſes as cannot be approved, and ſubſtitute others which ſhall be ſuggested, leſs liable to Objections.

The Bill was order'd to be read the Second Time, and to be printed for the Uſe of the Members, that it might be thoroughly examin'd and underſtood.

Read a firſt time, a Bill for the better ſecuring the Freedom of Parliaments, by limiting the Number of Officers in the Houſe of Commons.

Read a firſt Time, a Bill for ſupplying the City of Gloceſter with freſh Water.

Heard Counſel farther on the Merits of the Reading Election: and ſeveral Witneſſes were examined in behalf of the Petitioner; and the Counſel for the Petitioner having ſummed up their Evidence, and the Counſel for the ſitting Member having been heard by way of Reply; the Counſel on both Sides were directed to withdraw.

The 28th. Received Copies of all Letters written, or Repreſentations, or Applications made to the Office of Ordnance relating to Stores, Proviſions, Ammunition, or other Neceſſaries for the Uſe of the Fleet lately under the Command of Sir John Norris.

Read a firſt time, a Bill to continue an Act for Relief of Debtors, with reſpect to the Impriſonment of their Perſons, and two ſubſequent Acts for explaining and amending the ſame; and alſo to continue an Act for the free Importation of Cochineal and Indico.

Read a ſecond time, a Bill to explain and amend an Act 3d of King James I. for the Recovery of Small Debts, and for the relieving of poor Debtors in London.

Read a firſt time, a Bill for the better Preſervation of the public Roads of that Part of Great Britain called England.

In a Committee went thro' the Bill for the more eaſy Recovery of ſmall Debts.

The 29th. Received an Account of the Expence of Victualling his Majeſty's Land Forces ſent on the Expedition to America.

Received a Copy of a Petition of the Levant Company to his Majeſty in Council, in this preſent Year 1740, with the Proceedings thereon.

Ordered, that an Account be laid before this Houſe on what Quantities of Woollen, or other Goods, have been exported from Great Britain for twenty Years, ending at Chriſtmas

Chriſtmas laſt, to Ruſſia, diſtinguiſhing the ſeveral Species, and their Value. Anno 14, Geo. II. 1740.

Agreed to the Report of Yeſterday's Reſolution on the Supply, viz. Reſolved, That 10,000l. be granted towards the Support of Greenwich Hoſpital.

That 4948l. 18s. 4d. be granted for Out-penſioners of Chelſea Hoſpital.

That 10,000l. be granted towards the Maintenance of the Britiſh Forts and Settlements in Africa.

That 10,000l. be granted for the further ſettling and improving the Colony of Georgia: This laſt Reſolution was agreed to after Debate, on a Diviſion, Ayes 105, Noes 75.

Received a Petition of the Gentlemen, principal Traders, &c. of the Town of Collumpton, in the County of Devon, complaining of the Decay of the Woollen Manufacture, which the Petitioners attribute in great Meaſure to the running of Wool; and praying relief. Reſolved, That this Houſe will, upon the 12th of February, reſolve itſelf into a Committee of the whole Houſe to conſider of the ſaid Petition.

Heard Counſel further on the Merits of the Reading Election, and examined ſeveral Witneſſes, and produced Evidence, in order to juſtify the Votes of ſeveral Perſons who voted for the ſitting Member, and whom the Counſel for the Petitioner had endeavoured to diſqualify: Then the Counſel on both Sides were directed to withdraw: Adjourn'd the further Hearing to February 9.

Feb. 3d. Ordered, That the Thanks of this Houſe be given to the Reverend Dr. Matthew Hutton, for the Sermon preached by him before this Houſe upon Friday laſt at St. Margaret's, Weſtminſter; and that he be deſired to print the ſame.

Received a Petition of the Graziers, Wool-growers Gentlemen, &c. concerned in Romney Marſh, in the County of Kent, and Places adjacent, complaining of the conſtant Decreaſe for 24 Years paſt of the Woollen Manufactory, in which time the Price of the ſame has gradually fell from 10l. to near 4l. the Pack; the Decay whereof has already leſſened, and muſt very ſoon to a great Degree inevitably reduce the Value of vaſt Numbers of Eſtates in this Kingdom; and at the ſame time carry immenſe Riches to thoſe neighbouring Countries, who have too ſucceſsfully of late rivall'd us in the Woollen Manufacture: That as the French cannot work up their own Wool into Cloths proper for the foreign Markets, without mixing one Pack of Britiſh or Iriſh Wool with two of their own; the Petitioners hope, if effectual

Anno 14, Geo II. 1740.

effectual Methods could be found to prevent the French from having the Wool from Great Britain or Ireland, they would not for the future be able to underſel his Majeſty's Subjects in the foreign Markets. And further repreſenting to the Houſe, that a Law to oblige the Owners of all Wool ſhorn in Great Britain or Ireland, to regiſter the ſame, and not permit it to be conveyed from the Place of its Growth to any other Part of the Kingdom, but by Land-Carriage, till it be manufactured, ſeems to the Petitioners to be the moſt likely way to prevent the Exportation of Wool out of theſe Kingdoms; and therefore praying the Houſe to take the Premiſſes into Conſideration, and give ſuch Relief as to the Houſe ſhall ſeem meet.

Ordered, That the ſaid Petition be referred to the Committee, &c.

Received Copies of Letters and Reports from the Captains of his Majeſty's Ships at Home, and from Mr. Wallace, Agent for the Tranſports, relating to the Badneſs of the Materials put into the Bedding, furniſhed by the Contractor to his Majeſty's Ships.

Read a ſecond time, a Bill for licenſing the Importation of Victual from Ireland to Scotland in Time of Scarcity.

Read a firſt time, a Bill to prevent Inconveniencies ariſing by Delays of Cauſes after Iſſue joined.

Motion made by Mr. Sandys relating to the Sailing of the French and Spaniſh Fleets

Then Mr. Sandys preſented a Motion in Writing for addreſſing his Majeſty to inform them when the Regency received Intelligence, that the French and Spaniſh Squadrons ſailed, which was ſeconded, as follows, by Mr. Waller

Mr. Waller.

SIR,

'The Information now moved for, appears to me neceſſary in our Deliberations on the Conduct of the War that without it we can only conjecture in the dark, and entangle ourſelves in an inextricable Labyrinth.

'It is well known, that in War all Motions are in great Degree to be regulated by thoſe of the Enemy, and that therefore no Vigilance is to be ſpared by which any Knowledge can be gained of their Deſigns, nor any Method omitted of communicating them to thoſe who have the Direction of the War.

'A Miniſtry may, in conducting military Operations diſappoint the Expectations of their Country, either by neglecting to procure Intelligence, or by failing to make uſe of thoſe Opportunities which ſeaſonable Information puts into their Power, and they may, when their Deſigns fail of Succeſs, juſtify themſelves, by proving that they were deceived

ceived by Intelligence, which it was reaſonable to believe, or that better Inteliigence was not attainable, or that they made uſe, however unſucceisfully, of all the Forces that could then be employed, and of all the Advantages that were then in their Poſſeſſion. Anno 14, Geo. II. 1740.

But how ſhall we judge of our Adminiſtration, how ſhall we know what Confidence we ought to repoſe in their Prudence and Fidelity, and what Miſcarriages are to be attributed to the Chance of War, or ſuperior Force of our Enemies, if we cannot be informed with what Diligence they endeavour at Information, and how early they have Notice of the Motions of the Enemy?

The Sailing, or rather Eſcape of the Ferrol Squadron, and Departure of the French Fleet, are the moſt important Events of the preſent War; Events that threaten very dangerous Conſequences, no leſs than Deſcents upon our Britiſh Colonies, the Conqueſt of our Dominions, the Slavery of our Fellow-Subjects, and perhaps the Deſtruction of the brave Vernon, who is ſecure in the imagined Vigilance of the other Commanders, and may, perhaps in a few Days, ſee himſelf ſurrounded by formidable Squadrons of different Nations, and expoſed to the Attack of Forces to which his little Fleet bears no proportion.

'Nothing appears more evident, than that we had Opportunities of obſerving, at leaſt, all the Preparations of the French, and of watching the Moment of their Departure; and that our Force on the Coaſt of Spain was ſufficient to have confined their Fleets for ever in their Harbours, or to have deſtroyed them at their firſt Entrance into the open Seas; of which we may juſtly enquire, why it was not attempted; but ſhall enquire to no Purpoſe till we know when they departed, that we may conſider the State of our own Forces, and whether our Enemies eſcaped by our Negligence, Cowardice, or Weakneſs.'

Mr. Winnington.

Sir,

'That we cannot deliberate upon Subjects which we do not underſtand; and that, therefore, no neceſſary or uſeful Information ought to be denied to the Houſe, I ſhall readily admit: But muſt obſerve at the ſame time, that the Reputation of the Houſe would be very little conſulted, in demanding Information which cannot be given. Mr. Winnington.

'To addreſs his Majeſty to inform us of the Time at which the Squadrons of our Enemies ſailed, is to enquire of him what it ought to be the higheſt Care of thoſe Princes

A°1014, Geo. II. 1740.

to conceal from him, and which he can only know by having Spies in their Privy Councils.

'And of what Importance is it to enquire what Intelligence was brought him, or when he received it, if it appears that his Intelligence muſt be in its own nature uncertain and dubitable.

'That they have left their Ports, is now certain, becauſe they have been twice diſcovered in different Parts of the World; but as we can now only form Conjectures of their Deſigns and Courſes, ſo, before they ſailed, it was impoſſible to know, when they were fully equipped, or what Time was fixed for their Departure. It is to be remembered, that they form Meaſures, and make their Preparations in their own Dominions, and therefore have more Advantages from concealing their Schemes, than we from diſcovering them.'

Mr. Campbell.

SIR,

Mr. Campbell.

'This Motion, which has been repreſented as unreaſonable and abſurd, is, in my Opinion, not only proper, but important.

'It is important, becauſe it will enable us to judge upon ſufficient Foundations, of the Conduct of the Miniſtry, who are cenſured by the Voice of the Nation, for having been either defective in Vigilance, or in Activity; for having been either ignorant by their own Fault of the Deſigns of the Enemy, or perfidiouſly paſſive in permitting the Execution of them.

'I am far from believing that ſuch Intelligence, as our Miniſtry is expected to procure, requires any uncommon Subtilty, or any other Agents than are always employed by every Miniſter, to tranſmit to them Informations from foreign Courts. Such, I am afraid, are always hovering about our Conſultations, and I know not why our Miniſters ſhould be leſs diligent, or leſs ſucceſsful than thoſe of other Princes.

'If, therefore, ſuch Intelligence might have been obtained, it was criminal not to obtain it; and if the Departure of the Spaniſh Squadron was foreſeen, it ought to be enquired, why it was not prevented; and if it was only known when it was too late to hinder it from ſailing, why it was not purſued, or why Succours were not immediately diſpatched to Admiral Vernon.

'All theſe Queſtions can be only reſolved, in Conſequence of the Information which his Majeſty ſhall give us; and for which, it is therefore, in my Opinion, neceſſary to Petition.

Henry

Henry Pelham, Eſq;

Anno 14, Geo II. 1740.

SIR,

Mr. Pelham.

'How the Regency could be informed of the Intention of the Spaniards to leave their Ports till it appeared by their Departure, or by what Means it can be expected that his Majeſty ſhould be now acquainted with their particular Courſe, or farther Deſigns, I confeſs myſelf unable to conceive.

'With regard, Sir, to the Intelligence tranſmitted from foreign Courts by Agents and Spies, a little Conſideration will eaſily diſcover that it is not to be truſted. For what can be generally expected from them, but that they ſhould catch Flying Reports, or by Chance intercept uncertain Whiſpers, that they ſhould enquire timorouſly, and therefore, for the greateſt Part, of thoſe from whom no ſatisfactory Accounts can be receiv'd, and that they ſhould often endeavour to deſerve their Salaries by ſuch Information as is rather pleaſing than true.

'All the Knowledge that can be obtained of an Enemy's Deſigns, muſt ariſe from a diligent Compariſon of one Circumſtance with another, and from a general View of his Force, his Intereſt, and his Opportunities. And that ſuch Conjectures will be often erroneous, needs not to be told.

'Probability, therefore, is, in ſuch Enquiries, all that can be attained, and he that ſits idle in the Time of War, expecting certain Intelligence, will ſee his Enemies enjoying the Advantages of his Folly, and laying hold on a thouſand Opportunities which he has neglected to improve.

'The War, in which we are now engaged, has been carried on by the Adminiſtration with the utmoſt Diligence and Vigour; nor have any Meaſures been omitted that could probably produce Succeſs, and the Succeſs of the wiſeſt Meaſures is only probable.

'Should the great Admiral, who is now preſent in the Houſe, have met the French and Spaniards in the open Seas, by what Art could he arrive at a certain Knowledge of their Deſigns; he might, by his Acquaintance with the Situation and State of neighbouring Countries, the Obſervation of their Courſe, the Periods of particular Winds, and other Hints of Obſervation, form probable Conjectures, but could never reach to Certainty or Confidence.

'It ſeems to me, therefore, highly improper, to petition his Majeſty for Intelligence, which he cannot be imagined to have received, and I cannot agree to any Motion for that Purpoſe.'

Anno 14, Geo II. 1740.

Rejected a Motion to addreſs his Majeſty, That the Houſe be informed, when his Majeſty, or the Lords Juſtices, firſt received certain Advices of the ſailing of the Ferrol, Breſt, and Toulon Squadrons for the Weſt-Indies.

Mr. Sandys then made another Motion, to addreſs his Majeſty, that there may be laid before the Houſe Copies of all Letters received from, or written to, Admiral Vernon ſince his going to the Weſt-Indies. Which being ſeconded, Mr. Pelham ſpoke to this Effect:

SIR,

Mr. Pelham.

'This Motion, if the Intention of it be limited by proper Reſtrictions, is doubtleſs reaſonable and juſt, for the Right of this Houſe to examine into the Conduct of public Affairs, and conſequently for calling for the Papers neceſſary to enlighten their Enquiries, is not to be diſputed.

'But, as the End of all ſuch Enquiries is the Promotion of the public Welfare, ſo they are not to be made in a manner by which that End may be defeated. Papers are not to be demanded, which cannot be produced without diſcovering our own Secrets, and acquainting our Enemies either with that Weakneſs which we ought carefully to conceal, or that Force which will be moſt effectually employed if it is not known, and therefore no Preparations are made to oppoſe it.

'It cannot be imagined, but that many of the Papers which have paſſed between the Admiralty, and the Commander in America, contain Plans of the Proſecution of the War, Obſervations on the Conditions of our own Colonies, and perhaps Intelligence of the Eſtate of the Spaniſh Fortreſſes and Towns. Many Informations of the utmoſt Conſequence to our Enemies may be collected from thoſe Papers, but nothing can be expected from them, that will enable us to proſecute a parliamentary Enquiry with more Succeſs, ſince it will not put it in our Power to diſcover Frauds, Negligence or Treachery.

'There are, Sir, other Papers which may indeed be laid before us, without any Benefit to our Enemies, and perhaps with ſome Advantage to ourſelves, the Papers which contain the Accompts of our Preparations and Store, the Liſts of our Forces, and the Calculation of our Expences are the proper Subjects of parliamentary Enquiries, and if the Motion be reſtrained to thoſe, I believe, it will not be oppoſed by any Gentleman engaged in the Adminiſtration of our Affairs. I ſhall beg Leave to propoſe theſe Words may be added, *So far as the ſame relates to a Supply of Ships, Marines or Land Forces.*' [The Motion, thus amended, was agreed to.]

Ordered,

Ordered, That Copies, or Extracts of all Letters, and other Papers from Mr. Finch, his Majeſty's Miniſter at the Court of Ruſſia, to either of his Majeſty's Secretaries of State, or to the Commiſſioners for Trade and Plantations, ſo far as the ſame relate to the opening of a Trade to and from Perſia thro' Ruſſia, be laid before them. Anno 14, Geo. II. 1740.

The Order of the Day being read for the Call of the Houſe, it was moved, that the ſame be further adjourned till Thurſday ſe'en-night: After Debate, the Queſtion being put, it paſſed in the Negative; Ayes 84, Noes 107.

Reſolved, That the Call of the Houſe be farther adjourned to Tueſday the 31ſt of March next.

Agreed to the Report of Part of a Bill for the more eaſy Recovery of ſmall Debts, and ordered it to be farther conſidered on Thurſday.

The 5th. Ordered, that the Thanks of this Houſe be given to Dr. Reuben Clarke, for the Sermon by him preached before this Houſe Yeſterday at St. Margaret's, Weſtminſter, and that he be deſired to print the ſame.

Read a firſt time, a Bill to explain ſo much of an Act of the 12th of Queen Anne, for providing a public Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea, as relates to the making of Experiments of Propoſals for diſcovering the Longitude at Sea.

Received a Petition from the Inhabitants of South-Carolina, ſetting forth, That on the 18th of November laſt, a moſt dreadful Fire broke out in Charles-Town, and in leſs than 4 Hours utterly conſumed the beſt and moſt valuable Part of the ſaid Town, whereby many Families are reduced to the utmoſt Diſtreſs, and therefore praying Relief, &c. Referred to a Committee of the whole Houſe on the 12th Inſtant.

Ordered, That the proper Officer do lay before this Houſe, an Account of the ſeveral Quantities of Wool that have been ſeized by any Officer of Exciſe or Cuſtoms within this Kingdom for ſeven Years paſt, diſtinguiſhing each Year.

Reſolved, That this Houſe will upon this Day eight Weeks, reſolve itſelf into a Committee of the whole Houſe upon the Bills for regulating Trials at *Niſi Prius*, and for the more effectual ſummoning Special Juries.

In a grand Committee, went thro' the Bill for the better ſecuring the Freedom of Parliaments, by limiting the Number of Officers in the Houſe of Commons, with ſeveral Amendments.

Reſumed the adjourned Conſideration of the Report of the Bill for the more eaſy Recovery of Small Debts: And examined ſeveral Perſons as touching their Places and Fees.

The

Anno 14, Geo II. 1740.

The 16th. Read a ſecond time, a Bill to prevent Inconveniencies ariſing by Delays of Cauſes after Iſſue joined.

Reſumed the adjourned Conſideration of the Report of the Small-Debt Bill, and made a farther Progreſs.

In a grand Committee went thro' the Bill to render the Laws more effectual for preventing Sheep-ſtealing; and a Clauſe was added for the more effectual preventing of the robbing of Orchards and Gardens, and ſtealing of Wall-Fruit.

The 9th. Received a Petition of the principal Inhabitants of the Borough of Minehead in Somerſetſhire, complaining of the Decay of the Woollen Manufactures, and praying Relief, &c.

Read a firſt time, a Bill to indemnify Perſons who have omitted to qualify themſelves for Offices by taking the Oaths, &c.

Addreſs relating to a Cartel

Reſolved, That an humble Addreſs be preſented to his Majeſty, to give Directions, that Care may be taken to detain all Spaniſh Priſoners that have already, or ſhall hereafter be taken during this preſent War, until they ſhall be exchanged for ſome of his Majeſty's Britiſh Subjects, and that he will be graciouſly pleaſed, as ſoon as conveniently may be, to ſettle a Cartel with Spain, for the Exchange of Priſoners taken in War.

Heard Counſel further on the Merits of the Reading Election, &c.

The 10th. Received a Petition from the Clothiers, &c. of Froom in Somerſetſhire. And another Petition from the Wool-combers, Weavers, Dyers, &c. concerned in making of Druggets at Road and Telsford in the ſame County, complaining of the Decline of the Woollen Trade, &c. and praying Relief, &c.

Received an Eſtimate of the Debt of his Majeſty's Navy, as it ſtood December the 31ſt, 1740.

Ordered that John Meres, Printer of the Daily Poſt, who was committed on the 3d of December 1740, to the Cuſtody of the Serjeant at Arms, for printing Part of a malicious and ſcandalous Libel, &c. in that Paper of the firſt of December 1740, be diſcharged out of Cuſtody, paying his Fees, upon giving Security to be forth-coming, to anſwer the Proſecution which this Houſe has addreſſed his Majeſty to carry on againſt him.

Agreed to the Report of the Bill to render the Laws more effectual for preventing the Stealing of Sheep and other Cattle. Ordered it to be engroſſed.

Agreed to the Report of the Bill for the better ſecuring the Freedom of Parliaments, by limiting the Number of Officers

Officers in the Houſe of Commons. Ordered it to be engroſſed. Anno 14, Geo. II. 1740.

Heard Counſel further on the Merits of the Reading Election, &c.

The * 11th. Read a ſecond time, the Bill to indemnify Perſons who have omitted to take the Oaths, &c.

Read a ſecond time, the Bill for the better Preſervation of the public Roads of Great Britain.

In a grand Committee went thro' the Bill for licenſing the Importation of Victual from Ireland into Scotland in Time of Scarcity.

Read a third time, and paſſed the Bill to render the Laws more effectual for preventing the ſtealing and deſtroying Sheep and other Cattle. Ordered it to the Lords.

Received a Petition of the Clothiers and Stuff-Weavers of Kidderminſter in Worceſterſhire, complaining of the Decay of the Woollen Manufactory, and praying Relief, &c.

The 12th. Received ſeveral Petitions from Taunton, Midſummer Norton, Welton, Paulton, Temple, High Litleton, and Hallitrow, alſo from Shepton-Mallet, all in the County of Somerſet, complaining of the Decay of the Woollen Manufacture, &c. &c. Alſo a Petition from Leeds in Yorkſhire relating to the ſame. Sundry Petitions complaining of the Decay of the Woollen-Trade.

Alſo

* *This Day Mr. Sandys, to avoid the Reflection of a diſhonourable Proceeding, in preferring a Charge without giving previous Notice, thought it proper to go from his Place to Sir Robert Walpole, and in a very frank manner told him, that he might take Warning, and prepare to be upon his Guard, for that on Friday next he ſhould bring an Accuſation of ſeveral Articles againſt him. Sir Robert pauſed a little upon ſo unexpected a Compliment; but thanked him very politely for the Information, and ſaid, he deſired no Favour, but fair Play. — Mr. Sandys afterwards mentioned this Affair publicly in the Houſe, and ſaid, he had a Charge to make againſt an Honourable Member of the Houſe, the Chancellor of the Exchequer, whom he required to be in his Place to hear and anſwer it on Friday Morning next. — Sir Robert returned for Anſwer, That he ſhould certainly attend; and as he was not conſcious of any Crime to deſerve ſuch an Accuſation, did not doubt of being able to make a proper Defence, ſaying,* " Nil conſcire ſibi †, " nulli pallescere Culpæ." *Which being miſquoted, occaſioned a Wager of a Guinea between him and Mr. Pulteney. Sir Robert being convinced of his Miſtake, yielded the Wager loſt, which the oppoſite Gentlemen took to be a good Omen on their ſide.*

† HORACE *ſays* nulla — Culpa.

Anno 14, Geo. II. 1740.

Alſo a Petition from the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council aſſembled; ſetting forth, That notwithſtanding the many Acts of Parliament that have been made to hinder the Exportation of Wool from Great Britain and Ireland, yet the ſame have not proved effectual to prevent ſo great and crying an Evil; that to the unſpeakable Grief of the Petitioners, and to the abſolute Deſtruction of the Trade and Manufactures of theſe Kingdoms, great Quantities of Wool are every Year clandeſtinely exported to France, and other foreign Countries, by Means whereof the French in particular are enabled not only to rival, but even to underſell us in Cloths, and other Manufactures of Wool, in moſt foreign Markets, to the inexpreſſible Detriment of the Commerce of theſe Kingdoms, and their own immenſe Gain and Advantage; ſince it is well known that by one Pack of Britiſh, or Iriſh Wool, they are enabled to work up two Packs of their own, which, without that Help, they could not make uſe of, ſo as to interfere in any conſiderable Degree with the Manufactures of this Nation: That, if the public Notoriety of this deſtructive Practice, is not ſufficient to prove how ineffectual the Laws hitherto made have been to prevent the clandeſtine Exportation of Wool, the Petitioners preſume, that the languiſhing State of our Manufactures at Home, the continual increaſing Demand for them at foreign Markets, together with the low Price, to which Wool is already reduced, muſt fully ſhew, that more effectual Means are neceſſary to put a ſtop to the Exportation of it, and thereby preſerve to theſe Kingdoms that ineſtimable Gift of Providence, the very Vitals of our Commerce, the chief and almoſt only Source of the Riches and Grandeur of the Nation; and therefore praying, &c.

Read a firſt time a Bill to enable the Commiſſioners of Weſtminſter-Bridge, to raiſe a further Sum towards finiſhing the ſame.

Agreed to the Report of the Bill for licenſing the Importation of Victual from Ireland into Scotland, &c. Ordered it to be engroſſed.

Ordered a new Writ to be iſſued out for Electing a Burgeſs to ſerve in Parliament for Portſmouth, in the room of the Honourable Charles Stewart, Vice-Admiral of the White, deceaſed*.

Read a third time, and paſſed the Bill for the better ſecuring the Freedom of Parliaments, by limiting the Number of

* *Vice-Admiral Vernon was elected in his Room without Oppoſition.*

of Officers in the Houſe of Commons. Ordered it to the Lords. Anno 14, Geo. II. 1740.

The 13th. The Houſe was moved, that the Journals of the Houſe of the 18th of December 1685, of the 18th of November 1689, of the 7th of December, and 16th of February 1693, and of the 9th of November 1696, in relation to the Proceedings of the Houſe, in the Caſe of John Cook, Eſq; Captain Churchill, the Lord Viſcount Faulkland, and Mr. Manley, Member of the Houſe, might be read.

And the ſame being read accordingly, Mr. Sandys ſtood up and delivered himſelf as follows:

SIR,

Sam. Sandys, Eſq;

'Among the many Advantages ariſing from our happy Form of Government, there is one which is reciprocal to King and People, which is, a legal and regular Method by which the People may lay their Grievances, Complaints, and Opinions, before their Sovereign; not only with regard to the Meaſures he purſues, but alſo with regard to the Perſons he employs. In abſolute Monarchies, the People may ſuffer, they may complain, but tho' their Sufferings be public, their Complaints muſt be private: They muſt not ſo much as murmur againſt their King's Meaſures or Miniſters; if they do, it is certain Perdition to the Few that are guilty of ſo much Indiſcretion. This is a moſt terrible Misfortune to the People in all abſolute Monarchies, and occaſions thoſe ſevere Puniſhments and cruel Tortures, which are ſo frequent in all ſuch; but it is a Misfortune to the abſolute Monarch, as well as to the People under his deſpotic Sway, for as he has no way of coming at the Knowledge of the Unpopularity of his Meaſures or Miniſters, he often goes on purſuing the ſame Meaſures, or employing the ſame Miniſters, till the Diſcontents of his People become univerſal and furious; and then, by a general Inſurrection, he and his Miniſters are involved in one common Ruin. However upright his Intentions may have been, however much he may have been impoſed on by his Miniſters, an impetuous, domineering Mob can ſeldom make any Difference: The deſpotic Monarch himſelf, and ſometimes his whole Family, are borne down by the Impetuoſity of the Torrent, and become a Sacrifice to the Reſentment of an injured Populace.

'In this Kingdom, Sir, it can never be ſo, as long as the King allows Parliaments to ſit regularly and freely, and the Members of this Houſe perform faithfully the Duty they owe to their King, their Conſtituents, and their Country.

Anno 14, Geo II. 1740.

Company the Sum of ſeven Millions Sterling, which they had obliged themſelves to pay to the Public, a great Part of which Sum was given to old Stockholders, and conſequently to thoſe who had never ſuffered by the Scheme; were the Steps by which he was ſuppoſed to have riſen to Power, and ſuch Steps could not but raiſe a general Diſtaſte at his Advancement, and a Dread of his Adminiſtration.

'Thus, Sir, he entered into the Adminiſtration with the general Diſapprobation of the People; and I am ſure, his Meaſures ſince have been far from reſtoring him to their Love or Eſteem. As he began, ſo has he gone on, oppreſſing the Innocent, impoſing upon the Credulous, ſcreening the Guilty, waſting the public Treaſure, and endangering the Liberties of the People. All this I could evince from every Step of his Adminiſtration, from the Beginning to this very Day, but I ſhall confine myſelf to ſome of the moſt remarkable Inſtances. In general, I ſhall obſerve, that by his Advice and Influence a much greater Army has all along been kept up than was neceſſary for the Support of our Government, or conſiſtent with our Conſtitution, and even that Army often augmented without any real Cauſe: That many Squadrons have been fitted out, to the great Expence of the Nation, and general Diſturbance of our Trade, without any juſt Cauſe, and, I believe, without ſo much as a Deſign to employ them effectually, either againſt our Enemies, or for the Aſſiſtance of our Allies: That every Method propoſed of late Years for ſecuring our Conſtitution againſt our moſt dangerous Enemy, Corruption, has been, by his Means, rejected, or rendered ineffectual; whilſt, on the other hand, many penal Laws have been paſſed, which have reduced a great Number of his Majeſty's Subjects under the arbitrary Power of a Miniſter and his Creatures: That almoſt every Article of public Expence has been encreaſed by the Addition of new and uſeleſs Officers; and all Enquiries into the Management of any Public Money, either prevented or defeated: That Votes of Credit at the End of a Seſſion of Parliament, which have always been thought of dangerous Conſequence to our Conſtitution, have by him been made ſo frequent, that few Seſſions have paſſed without one: That the Expence of the Civil Liſt has been vaſtly increaſed ſince the Beginning of his Adminiſtration, tho' it was then much greater than it had ever amounted to in former Times. To theſe, Sir, which are all of a domeſtic Nature, I ſhall add, with regard to our foreign Affairs, that ever ſince his Advice began to be prevalent in our foreign Affairs, the Trade and particular Intereſt of this Nation have in all Treaties and Negociations been neglected, the Confidence of our moſt natural Allies diſregarded,

diſregarded, and the Favour of our moſt dangerous Enemies courted; and that to this moſt unaccountable Conduct, the preſent melancholy Situation of the Affairs of Europe is principally to be aſcribed. Anno 14, Geo. II. 1740.

'I know, Sir, it will be objected, that as every material Step in the late Conduct of our Public Affairs, either at home or abroad, has been authorized or approved of by Parliament, what I have ſaid muſt be look'd on as a general Charge againſt his Majeſty's Councils and our Parliaments, rather than a perſonal Charge againſt any one Miniſter; but this, upon a due Conſideration, becomes the moſt heavy, and the moſt evident Charge againſt the Miniſter I aim at. According to our Conſtitution, we can have no ſole and prime Miniſter: We ought always to have ſeveral prime Miniſters or Officers of State: Every ſuch Officer has his own proper Department; and no Officer ought to meddle in the Affairs belonging to the Department of another. But it is publicly known, that this Miniſter, having obtained a ſole Influence over all our public Councils, has not only aſſumed the ſole Direction of all public Affairs, but has got every Officer of State removed that would not follow his Direction, even in the Affairs belonging to his own proper Department. By this means he hath monopolized all the Favours of the Crown, and engroſſed the ſole Diſpoſal of all Places, Penſions, Titles, and Ribbons, as well as of all Preferments, civil, military, or eccleſiaſtical.

'This, Sir, is of itſelf a moſt heinous Offence againſt our Conſtitution; but he has greatly aggravated the Heinouſneſs of his Crime; for, having thus monopolized all the Favours of the Crown, he has made a blind Submiſſion to his Direction at Elections and in Parliament, the only Ground to hope for any Honours or Preferments, and the only Tenure by which any Gentleman could preſerve what he had. This is ſo notoriouſly known, that it can ſtand in need of no Proof. Have not many deſerving Gentlemen been diſappointed in the Preferment they had a juſt Title to, upon the bare Suſpicion of not being blindly devoted to his perſonal Intereſt? Have not ſome Perſons of the higheſt Rank and moſt illuſtrious Characters been diſplaced, for no other Reaſon than becauſe they diſdained to ſacrifice their Honour and Conſcience to his Direction in Parliament. As no Crime, no Neglect, no Miſbehaviour could ever be objected to them, as no other Reaſon could ever be aſſigned for depriving the Crown of their Service, this only could be the Reaſon. Nay, has not this Miniſter himſelf not only confeſſed it, but boaſted of it? Has he not ſaid, and in this Houſe too, that he would be a pitiful Fellow of a Miniſter who

Anno 14, Geo II. 1740.

who did not diſplace any Officer that oppoſed his Meaſures in Parliament?

'Can any Gentleman who heard this Declaration deſire a Proof of the Miniſter's Miſconduct, or of his Crimes? Was not this openly avowing one of the moſt heinous Crimes that can be committed by a Miniſter in this Kingdom? Was it not avowing that he had made uſe of the Favours of the Crown for obtaining a corrrupt Majority in both Houſes of Parliament, and keeping that Majority in a ſlaviſh Dependance upon himſelf alone? Do not we all know, that even the King himſelf is not, by our Conſtitution, to take Notice of any Man's Behaviour in Parliament, far leſs to make that Behaviour a Means by which he is to obtain, or a Tenure by which he is to hold, the Favour of the Crown? And ſhall we allow a Miniſter not only to do, but openly to avow, what he ought to be hanged for, ſhould he adviſe his Sovereign to do ſo? It is by Means of this Crime, Sir, that the Miniſter I am ſpeaking of has obtained the Authority or Approbation of Parliament in every Step of his Conduct, and therefore that Authority or Approbation is ſo far from being an Alleviation, that it is a moſt heavy Aggravation of every wrong Step which he has thus got authoriſed or approved of by Parliament. For this Reaſon, in conſidering any particular Step of his Conduct, its being authoriſed or approved by Parliament, can have no Weight in his Favour, whatever it may have againſt him. If the Step was in itſelf weak or wicked, or if it now appears from its Conſequences to have been ſo, its having been approved of, or authoriſed by Parliament, muſt be ſuppoſed to have proceeded either from his having miſled the Parliament by falſe Gloſſes and Aſſeverations, or from his having overawed a Majority by means of that Crime which he has ſince openly avowed.

'Having thus obviated an Objection that may be made againſt any particular Accuſation, as well as againſt the general Accuſations I have already mentioned, I ſhall juſt hint at ſome of the particular Branches of Miſconduct he has been guilty of in the long Courſe of his Adminiſtration; and among theſe, the ſmall Progreſs we have made in the Diſcharge of our Public Debt moſt juſtly deſerves the firſt Place. It is really ſurprizing, that the National Debt ſhould now be as much, if not more than it was in the Year 1725, when our Miniſter firſt took it into his Head to pull down the overgrown Power of the Houſe of Auſtria. In the Year 1716, the public Debt was computed to amount to no more than 47,894,950l. but by ſome Articles then omitted, and by many extraordinary Allowances afterwards made, eſpecially thoſe relating

relating to Army-Debentures, in which this Gentleman had a very remarkable Share, the public Debt, as it then ſtood, was made to amount to 51,000,000l. Of this Sum there was, in or before the Year 1725, paid off about 5,000,000l. which reduced it to 46,000,000l. and as the Sinking-Fund was to receive a great Addition in the Year 1727, by the Reduction of Intereſt, we had a Proſpect of having a great Part of our public Debts paid off in a few Years, eſpecially as the Tranquillity of Europe, or at leaſt of this Nation, ſeemed to be eſtabliſhed by the Treaty concluded that Year at Vienna, between the Emperor and the King of Spain. But our Miniſter was, it ſeems, ſenſible of the Power and Influence he acquired by means of this Load of Debt, and by the many Taxes impoſed for the Payment of it. He knew that theſe Taxes, while they continue, muſt always make a great Number of Officers and Placemen neceſſary; and as he had the placing, preferring, and diſplacing of all theſe Officers at his arbitrary Will and Pleaſure, he knew what Weight this gave to his Influence, both at Elections and in Parliament. For this Reaſon he has employed all his Art to prevent our being able to pay off any Part of our old debt, or if we paid off with one Hand, he has taken care to make us contract as much with the other, ſo that the National Debt is now much about the ſame, or rather more, than it was in the Year 1725, tho' the Nation had never, in all that Time, been involved in any extraordinary Expence, but what has been unneceſſarily brought upon it by his Art or Miſconduct. Anno 14, Geo. II. 1740.

'I ſay, Sir, his Art or Miſconduct, either of which is certainly a moſt ſufficient Cauſe to remove him from his Majeſty's Councils; but I am apt to believe, there was ſomething of Art or Deſign, as well as Miſconduct in it; for he really ſeems to have been afraid of having our Debts diminiſhed, for fear of the Conſequence, which muſt have been that of aboliſhing ſome of our moſt burdenſome and pernicious Taxes; otherwiſe it was impoſſible he could have taken ſo much Pains as he did, to defeat a Scheme offered a few Years ſince by a worthy Member of this Houſe, for reducing the Intereſt payable upon the National Debt, and for putting the whole upon a certain Footing of being diſcharged in a Courſe of Years, without its being in the Power of any ſuch Miniſter as he to prevent it. To find Fault with the defeating of this Scheme, may likewiſe be ſaid to be an Accuſation brought againſt this very Parliament; but it is well known by whom, and by whoſe Influence it was defeated. I am pretty ſure, it is the general Opinion without Doors, that it was not by the Influence of Argument;

Anno 14, Geo II. 1740.

Argument; but if the Defeat was owing to that Influence, as I hope it was, I am convinced, that moſt of thoſe who were ſwayed by that Influence, are now ſenſible of their Error, and heartily wiſh they had conſidered better of it; for I am afraid we ſhall never again meet with ſo favourable an Opportunity.

• But, Sir, the next Step of Miſconduct I ſhall take notice of, is of a different Nature; it is a Step that happened not to meet with the Approbation of Parliament, tho' I do not queſtion its having been ſupported and enforced by all the Methods uſual of late Years, in ſuch Caſes. I make no Doubt but every one, who poſſeſſed or hoped for any Place or Office under the Crown, were threatned with a Diſappointment to their Hopes, or the Loſs of the Places they poſſeſſed, if they voted againſt it; and my Reaſon for not doubting of this is, becauſe ſeveral Noblemen and Gentlemen were the very next Year turned out of every Place the Crown could take from them, for no other apparent Reaſon, but becauſe they or their Friends voted againſt that miniſterial Project; and, ſo far as I can recollect, I do not remember, that any one who voted againſt it has ever ſince obtained a Favour from the Crown, unleſs it be ſuch, as have, by their Conduct ſince, ſhewn, that they heartily repented of their Stubbornneſs at that Time. I believe every one that hears me will ſuppoſe I mean the Exciſe-Scheme, which was certainly one of the weakeſt, or one of the wickedeſt Projects that was ever ſet on Foot, or countenanced, by any Miniſter in this Kingdom. If our Miniſter was ſenſible of the great Power that Scheme would have placed in the Hands of a Miniſter, and had really formed a Deſign to overturn by that Means the Liberty of the People, he ought to be not only removed, but puniſhed for his Wickedneſs; and if he was not ſenſible of the Danger that would accrue from that Scheme to our Conſtitution, if he had really no View, but the precarious Hope of thereby making a little Addition to the public Revenue, particularly to the Civil-Liſt, I muſt ſay, his Weakneſs was amazing; for it ſhewed, that he neither underſtood the Genius of our Conſtitution, nor the Genius of our People. If he had underſtood the Genius of our Conſtitution, he could not but be ſenſible of the deſtructive Effects that Scheme muſt neceſſarily have had upon it: If he had underſtood the Genius of our People, it is impoſſible to ſuppoſe, he would have adviſed his Majeſty to have forfeited the Affections of the whole People, for the ſake of making an uncertain, and at beſt, but a trifling Addition to the Public, or Civil-Liſt Revenue.

• Thus,

' Thus, Sir, if he had never been guilty of any other Crime or Overſight, for this Project alone he deſerves at leaſt to be removed from his Majeſty's Councils; and the Reſentment he ſhewed againſt thoſe, who voted againſt this his favourite Scheme, is a Proof of what he now publicly avows, that he has made uſe of, that he will make uſe of, the Favours of the Crown, for obtaining a corrupt Majority in both Houſes of Parliament. What happened upon this Occaſion, is an evident Demonſtration, that he has by ſuch Means already got, in a great meaſure, the Nomination of the ſixteen Peers to repreſent the Peerage of Scotland in the other Houſe of Parliament. We may remember, that ſeven or eight of the ſixteen, who then ſat in the other Houſe, declared openly againſt this Scheme, and prevailed with moſt of their Friends in this, to vote againſt it: What was the Conſequence? Every one of them, tho' they had great perſonal Intereſt among the Peers of Scotland, were, at the next Election, excluded by this Miniſter's Intereſt from being rechoſen; and every one of them that enjoyed any Poſt, during the Pleaſure of the Crown, had the Honour to be diſmiſſed his Majeſty's Service; I ſay, the Honour, becauſe, in ſuch a Caſe, I think it is the greateſt Honour the Crown can beſtow. 1 14, Geo II. 1740.

' It would be endleſs, Sir, to recount every falſe Step this Miniſter has made in the Conduct of our domeſtic Affairs, and therefore I ſhall mention only one more, which is the ſeeming Approbation he procured, but two Years ago, from Parliament, of that Convention which he had juſt before concluded with Spain. As the Convention itſelf relates to our foreign Affairs, I ſhall not here enter into the Merits of it; I ſhall here conſider only the Method he took to obtain a ſeeming Approbation of it from Parliament, which was by the ſtrongeſt Aſſeverations, that the Spaniſh Court was ſenſible of its having been in the Wrong to this Nation; that its agreeing to pay 200,000l. as he reckoned it, to us in name of Damages, was an Acknowledgment of its having been in the Wrong; and that his Catholic Majeſty and his Miniſters were ſtrongly and ſincerely inclined to do us Juſtice, with regard to the future Security of our Trade and Navigation in the American Seas; from whence he concluded, that tho' we had not got all we might expect by the Convention, which was but a preliminary Treaty, yet it was a good Foundation to build on, and might probably, if the Houſe agreed to the Addreſs then moved for, produce a ſolid and laſting Peace; whereas, if the Addreſs ſhould be diſagreed to, the immediate Conſequence would be a War with Spain.

Anno 14 Geo. II. 1740.

'I may appeal, Sir, almoſt to every Gentleman that hears me, if this was not the Strength of the Argument in favour of that Addreſs: I may appeal to many that voted for it; if their depending upon the Truth of theſe Aſſeverations was not the only Reaſon for their agreeing to ſo much as a ſeeming Approbation of that infamous Convention; but from the Conſequences, and likewiſe from the Papers, imperfect as they are, laid before us, it now appears, that there was not the leaſt Ground for any of theſe Aſſeverations. It appears, that Spain inſiſted upon having our Navigation in the American Seas regulated, that is to ſay, they inſiſted it ſhould not be free: That Spain inſiſted upon our South-Sea Company's paying them a moſt unjuſt Demand of 68,000l. which reduced the Sum they were to pay us by the Convention, to 27,000l. and this was not near the Value of the Ships they had before acknowledged to have been unjuſtly taken from us, and had actually diſpatched Orders to the Weſt-Indies for their Reſtitution, as appears upon the Face of the Convention itſelf; ſo that their agreeing to pay this Sum was far from being even a tacit Acknowledgment of their having no Right to ſtop and ſearch our Ships upon the high Seas, and to ſeize and confiſcate them, if they had any of thoſe Goods on board, which the Spaniards are pleaſed to call contraband: It was only an Acknowledgment, that ſome of our Ships had been, even upon this Footing, unjuſtly ſeized, which the Spaniſh Court had expreſsly acknowledged, long before the Convention was thought of: Theſe, Sir, were the Terms the Spaniards inſiſted on; and they farther inſiſted, as now plainly appears, that we ſhould keep no Squadron at Gibraltar or Portmahon, notwithſtanding their being now a Part of the Britiſh Dominions; from whence they would, I ſuppoſe, have taken Occaſion in a ſhort time to inſiſt, againſt us at leaſt, that they had a Dominion over the Mediterranean, as well as the American Seas, and that our Ships ſhould not ſail in the former no more than in the latter, but by their leave, and according to ſuch Directions, or if you pleaſe, Regulations, as they ſhould preſcribe.

'Theſe, I ſay, Sir, were the Terms of Peace the Spaniards inſiſted on: Unleſs we ſhould agree to theſe hard and diſhonourable Terms, the Spaniſh Court never ſhewed the leaſt Inclination to live in Peace with us, as appears from the whole Tenor of our Negotiations previous to the Convention. Can we ſuppoſe that our prime and ſole Miniſter was ignorant of this? Can we ſuppoſe that he believed or imagined, that a ſafe and honourable Peace could be concluded with Spain upon the Footing of the Convention, or upon

upon any other Footing, whilſt they continued to inſiſt upon ſuch Conditions? What then can we think of the Argument he made uſe of for obtaining from Parliament a ſort of Approbation of his Convention? Muſt not we conclude, that for this Purpoſe he aſſerted what he knew to be falſe? And ſhall we ſuffer a Man to ſit, and to bear the chief Sway in the Councils of our Sovereign, who, in order to impoſe a diſhonourable Treaty upon his King and Country, aſſerted in open Parliament what he knew to be abſolutely falſe? Anno 14, Geo. II. 1740.

'I ſhall now beg leave, Sir, to take notice of ſome of the moſt remarkable Errors, if not Crimes, in our Miniſter's Conduct, with regard to foreign Affairs. Here too his Adminiſtration began with a Meaſure that could not but be diſagreeable to the People, becauſe it was diſhonourable to the Nation: It began with a Treaty of Peace with Spain, by which we agreed to reſtore the Ships we had taken from that Nation in an open and juſt War; and with a Negotiation, I ſhall not ſay an Engagement, to reſtore Gibraltar and Port-Mahon, without ſtipulating any Thing for the Advantage of this Nation, or obtaining an Explanation of thoſe Treaties, which even then had been miſrepreſented on the Part of Spain. Soon after this, he entered into that cloſe Friendſhip and Correſpondence with the Court of France, which, to the infinite Diſadvantage of this Nation, has continued ever ſince, and which has now at laſt brought the Balance of Power into the utmoſt Danger, if not to inevitable Ruin. But the moſt remarkable and the moſt pernicious of all his pernicious Meaſures was, the Conceit he took into his Head in the Year of 1725, that the Houſe of Auſtria was grown too powerful, and ought therefore to be pulled down. This Conceit, whether his own, or of French Original, made him infuſe into his late Majeſty thoſe frightful Notions of the dangerous but impracticable Engagements, which the Emperor and Spain had entered into, by the Treaty concluded between them at Vienna in that Year; and this produc'd the Treaty of Hanover, which loaded this Nation with the Expence of ſeveral uſeleſs Squadrons, a great Addition of uſeleſs regular Troops, and which was the moſt uſeleſs of all, a great Body of Heſſian Troops for ſeveral Years, and large Subſidies to foreign Princes, whilſt our Allies the French, who had certainly more to fear than we had, from that Conjunction between the Courts of Vienna and Madrid, neither put themſelves to any Expence, nor pick'd any Quarrels either with Spain or the Emperor; but purſued their Trade in ſafety, during the Time that our Trade to Spain was entirely ſtopt, and our Trade to every other Part of the World

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interrupted by Spaniſh Privateers, fitted out and manned by French Subjects.

'I need not mention particularly the ſeveral Negotiations, Preliminaries, Pacifications, Conventions and Treaties, which this Treaty of Hanover gave Birth to, for every Negotiation we have carried on, and every Treaty we have concluded ſince that Time, may be ſaid to proceed from that Original; and every one of them may juſtly be called a true Copy of the Original. They have been a perfect Series of Blunders, and, like a Neſt of Pill-Boxes from Germany, ſeem to be encloſed in one another, with nothing but Emptineſs in any of them; for I defy any Man to ſhew me one Advantage this Nation has reaped from any Treaty we have negotiated for twenty Years paſt. From the laſt Treaty, indeed, I mean the Convention, it may be ſaid, we have reaped ſome Advantage, becauſe it forc'd us into a War, which is certainly more eligible than the deſtructive and diſhonourable Method of Negotiation, we had for ſo many Years before been involved in; and this War might have been attended with a real Advantage, if our Miniſter had thought fit to puſh it, either with Vigour or common Diſcretion; but in the Proſecution of the War he has acted more weakly, or more wickedly, than he did in the Time of Peace: In Time of Peace, he made us become the Scoff of the Nations around about us, by the Tediouſneſs and Perplexity of his Negotiations: In Time of War, he has made us an Object of Scorn to our Enemies, and an Object of Pity to our Friends, by the Vaſtneſs of his Preparations and the Puſillanimity of his Actions. Our Trade has been both oppreſſed and neglected for the Sake of fitting out mighty Squadrons, and our Squadrons have been ſent out, either with Orders to do nothing, or without Materials proper for doing any Thing. By this Conduct, Sir, our Enemies have been enriched with our Spoils, and our own People oppreſſed with Armies, which either ſhould not have been raiſed, or ſhould have been ſent out to vindicate the Honour of their Country. Shall we in this Houſe ſit ſtill and ſee the Councils of our Sovereign directed by a Miniſter, who has thus, both in Peace and War, expoſed our Country to Scorn and Deriſion?

I beg Pardon, Sir, for taking up ſo much of your Time; but the Subject is ſo copious, that it is difficult to pick out thoſe Facts that are moſt proper to be mentioned; and every Part of his long Adminiſtration is full of ſuch oppreſſive and dangerous Schemes, or ſuch unaccountable Blunders, that it is not eaſy for one who has a true Regard for his King and Country, to paſs any of them over in Silence. I have mentioned but a few; what I have mentioned will ſhew, that

hat the Diſcontents of the People are far from being ground-leſs; but ſuppoſe they were, they would nevertheleſs be a ſufficient Foundation for the Addreſs I am to propoſe; for no Man, who has been ſo unfortunate as to incur the public Hatred, ought to have any Share in his Majeſty's Confidence or Councils. If his Majeſty were ſenſible of it, I am ſure, he has ſuch a Regard for the Affections of his People, that he would not allow ſuch a Man to approach his Perſon or Palace; and as it is our Duty to inform his Majeſty, how deteſtable this Miniſter is to the Majority of his People, we ought to take the proper Way for giving our Sovereign this Information, which is, by addreſſing him to remove ſuch a Miniſter from his Councils.

But farther, Sir, ſuppoſe this Miniſter had never been guilty of any Crime, Error, or Overſight in his public Conduct; ſuppoſe the People had all along been perfectly pleas'd with his Adminiſtration, yet the very Length of it is, in a free Country, ſufficient Cauſe for removing him. It is a moſt dangerous Thing in a free Government, to allow any Man to continue too long in the Poſſeſſion of great Power: Moſt Common-wealths have been overturned by this very Overſight; and in this Country, we know how difficult it has often proved, for our Parliament to draw an old Favourite from behind the Throne, even when he has been guilty of the moſt heinous Crimes. I wiſh this may not be our Caſe at preſent; for tho' I ſhall not ſay, nor have I at preſent any Occaſion for ſhewing, that the Favourite I am now complaining of has been guilty of heinous Crimes, yet I will ſay, that there is a very general Suſpicion againſt him, that this Suſpicion is juſtified by the preſent Situation of our Affairs both at Home and Abroad, and that it is ridiculous to expect, that any proper Diſcovery ſhould be made, as long as he is in Poſſeſſion of all the Proofs, and has the Diſtribution of all the Penalties the Crown can inflict, as well as of all the Favours the Crown can beſtow. Remove him from the King's Councils and Preſence; remove him from thoſe high Offices and Power he is now poſſeſſed of, if he has been guilty of any Crimes, the Proof may then be come at, and the Witneſſes againſt him will not be afraid to appear: Till you do this, it is impoſſible to determine, whether he is guilty or innocent; and, conſidering the univerſal Clamour againſt him, it is high Time to reduce him to ſuch a Condition, as that he may be brought to a fair, an impartial, and a ſtrict Account. If he were conſcious of his being entirely innocent, and had a due Regard to the Security and Glory of his Maſter and Sovereign, he would have choſe to have put himſelf into this Condition long before

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fore this Time: Since he has not thought fit to do ſo, it is our Duty to endeavour to do it for him; and therefore I ſhall conclude with moving, That an humble Addreſs be preſented to his Majeſty, that he would be graciouſly pleaſed to remove the Right Honourable Sir Robert Walpole, Knight of the moſt noble Order of the Garter, firſt Commiſſioner, Chancellor and Under-Treaſurer of the Exchequer, and one of his Majeſty's moſt Honourable Privy Council, from his Majeſty's Preſence and Councils for ever.

Mr. Pelham.

SIR,

Mr. Pelham.

'As we have often been threatened with ſome ſuch Motion as this, I have for a long time expected it with Impatience, becauſe I imagined, they who thus threatened had made ſome Diſcoveries, which the World had never been in the leaſt appriſed of. I little expected they would have attempted to blacken the Character of an Honourable Gentleman, who has ſerved his Country for many Years, in many high Offices, and in three ſeveral Reigns, and always, in my Opinion, with great Wiſdom and Integrity: I ſay, I little expected to find any Attempt made to blacken ſuch a Gentleman's Character, upon bare Surmiſes and general Arguments, which have been all fully anſwered, again and again, both within Doors and without; and I muſt ſay, I am very much ſurpriſed to find this Attempt made by Gentlemen, who have never been ſuſpected of being Enemies to our preſent happy Eſtabliſhment. If the Nation had now again been ſo unfortunate, as to have a Majority of this Houſe conſiſting of ſuch as were ſecret Enemies to the Proteſtant Succeſſion, I ſhould not have wondered to find this Gentleman's Character attacked, as it has been once before by ſuch Men: I ſhould not have wondered to have heard a Motion made for removing him from his Majeſty's Councils and Preſence, for this very Reaſon, becauſe he has ſhewn, that he deſerves to be there; but I am ſurpriſed to hear ſuch a Motion made by thoſe, who have always profeſſed, and I believe ſincerely profeſſed, themſelves Friends to our happy Conſtitution, and to that upon which it depends, our preſent happy Eſtabliſhment; becauſe ſuch a Motion upon ſuch a ſlender Foundation I take to be inconſiſtent with both.

'I ſhall grant, Sir, that this Houſe may addreſs the King to remove any one of his Servants: I ſhall grant, we have Precedents for ſuch an Addreſs; but I will ſay, that Precedents are very few, and I believe, no one upon our Books for removing a Miniſter, who was not accuſed of ſome Crime that was acknowledged to be a Crime. Is this the

pre-

preſent? Has the Honourable Gentleman who made you the Motion, mentioned any one particular Fact that is acknowledged to be a Crime? He ſays, the Gentleman he deſires to be removed, is an unpopular Miniſter: That he has incurred the Hatred of the People in general; and that no Man ought to be continued in his Majeſty's Councils or Preſence, who has had the Misfortune to do ſo. This Argument, Sir, has, I think, the Misfortune to labour under two Imperfections. The Premiſes I muſt look on, as a ſort of begging the Queſtion; and the Concluſion is not, I think, deducible from the Premiſes. The Honourable Gentleman, whoſe Conduct is the Subject of this Debate, may not, perhaps, be the Minion of the Mob, which no Miniſter ever can, who purſues, wiſely, ſteadily, and invariably, the true Intereſt of his Country; eſpecially, if he continues for a great Number of Years to have a principal Share in the Adminiſtration: The Populace in all Countries love to be diverted with Changes, and aſtoniſhed with extraordinary Events; and therefore they are apt to grow weary of a Miniſter who continues long in Place, and does not, with or without Reaſon, involve his Country in War, which is the only Method by which he can entertain them with wonderful Events. But that this Gentleman has incurred the Hatred of the better ſort of People in general, I believe, will appear to be a Miſtake, by the Fate of this very Motion; for as the Members of this Houſe are their Repreſentatives, I ſhall always judge of their Sentiments by what appears to be the Sentiments of the Majority of this Aſſembly.

However, ſuppoſe, Sir, it were indubitably true, that this Miniſter had incurred the Diſpleaſure of the Majority of all Ranks of People, I do not think this a good Reaſon for branding his Character with ſuch a Stigma, as an Addreſs of this Houſe to remove him from his Majeſty's Councils and Preſence for ever. A famous Poet, who ſhewed himſelf a good Politician, as well as an excellent Judge of Mankind, has, in talking of a virtuous Man, laid this down as a Maxim;

Non ſumit aut ponit ſecures
Arbitrio popularis auræ.

The People, even thoſe of the better ſort, are but very bad Judges of a Man's Virtue or Wiſdom, and they are much worſe Judges of a Miniſter's Conduct in political Affairs; for in order to judge rightly of this, we muſt have a thorough Knowledge, not only of the Intereſts and Circumſtances of our Country, but of the Circumſtances, Intereſts, and Views of all the foreign Courts we have any thing to do with; and in

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in order to know the Views of foreign Courts, we muſt be perfectly acquainted with the Characters of thoſe who bear the principal Sway at each. Can we ſuppoſe any Man of inferior Rank to have ſuch a Knowledge? It is a Knowledge, Sir, that can be acquired by none but thoſe of high Rank, or ſuch as have been in ſome eminent Station; and therefore we are not to condemn the Conduct of a Miniſter, for no other Reaſon but becauſe it is complained of by the Majority of the People, nor ought ſuch a general Complaint to be admitted as a good Reaſon for removing him from the King's Councils or Preſence. Among the many other Perfections of our Conſtitution, this is one, and none of the leaſt, that the Common-wealth is not to be deprived of the Service or Advice of a wiſe and faithful Magiſtrate or Miniſter, for no other Reaſon, but becauſe a general, but groundleſs Clamour has been raiſed againſt ſome Parts of his Conduct; therefore, whatever Clamours may have been raiſed againſt ſome Parts of his Conduct, they ought not of themſelves to be of any Weight in this Debate, even tho' it were proved, that the Honourable Gentleman, now deſired to be removed, had all along had not only the chief, but the ſole Direction of all our public Affairs, which has not been attempted to be proved, tho' I confeſs, it has been ſtrongly aſſerted; but if I ſhould take upon me to aſſert the contrary, I muſt think I have an equal Title to be believed, becauſe, conſidering how long, and in what Stations I have ſerved his Majeſty, my Knowledge of the Fact muſt be at leaſt as well founded, and I hope, my Veracity is equally to be depended on.

'The Grounds of the Clamours and Complaints, either within Doors or without, are therefore to be ſtrictly examined, becauſe they are the only Arguments that can have any Weight in this Debate; and as there has been nothing new advanced upon this Head, whatever Pleaſure Gentlemen may take in repeating the Objections that were made, at the reſpective and only proper Times, to the ſeveral Steps of our public Conduct now complained of, I hope, Sir, they will pardon me, if I do not take up your Time with repeating the Anſwers then made to them, which were ſo ſatisfactory, that all the Meaſures now complained of, except, I think, but one, met with the Approbation of one or both Houſes of Parliament, or with the final Approbation of either; but, ſo far as it proceeded, it met with the Approbation of this Houſe, and it was not dropt becauſe it was bad in itſelf, but becauſe of the Spirit that had been raiſed againſt it without Doors. In all Countries there are certain Prejudices which nothing but abſolute Power can get the better of. In this Country a general Exciſe has been made ſuch a Bugbear, that the People

ple are frightned at every Thing which has but the leaſt Reſemblance of it; and this was the Caſe with regard to the new Method then propoſed for raiſing the Duties upon Wine and Tobacco, which might as well have been called a general Maſſacre as a general Exciſe. A general Exciſe, Sir, is when a Duty is laid upon every Thing a Man can eat, drink, or conſume; and that Duty raiſed not upon the Importer and Manufacturer, but upon the Retailer and Conſumer. This, indeed, would be a terrible Grievance; but was there any Thing like this in the Exciſe Scheme? At that Time there were, and are ſtill, heavy Duties upon Wines and Tobacco: Theſe Duties had before been raiſed by Way of Cuſtom upon the Importation, which had occaſioned great Frauds and Abuſes; therefore, to prevent theſe Frauds, and to encourage the fair Trader, it was propoſed to raiſe them, for the future, not upon the Conſumer, for this would have look'd ſomething like a general Exciſe, but upon the Retailers, and upon them only. This, I ſtill think, Sir, was neither a bad, nor an oppreſſive, nor a dangerous Scheme; but if, upon a more mature Deliberation, it had appeared to be ſo, the Honourable Gentleman, who at firſt patronized it, is not to be condemned, becauſe as ſoon as he ſaw that the People thought it ſo, tho' he perhaps thought otherwiſe, yet he freely gave it up. Miniſters, Sir, are not infallible: No good Miniſter will pretend to be ſo; and therefore, the moſt we can expect is, that they ſhould alter their Conduct as ſoon as they diſcover their Error. One of the wiſeſt and greateſt Sovereigns we ever had, tho' adviſed by a very good and able Miniſter, fell into an Error: I mean the Caſe of Monopolies, in Queen Elizabeth's Time; but as ſoon as ſhe diſcovered it, ſhe corrected it and upon that Occaſion made ſuch a Speech, by Way of Anſwer to the Addreſs of this Houſe, as ought to be hung up in the Cabinet of every ſovereign Prince. The Parliament was ſo far from condemning the Miniſter, for his having adviſed theſe Monopolies, that this Houſe ſent a ſolemn Deputation to thank the Queen for revoking her Patents, in Anſwer to which ſhe made the Speech I have mentioned. Therefore, ſuppoſing the Exciſe-Scheme to have been a very bad one, we have no Reaſon to blame any Miniſter for it; becauſe it was given up as ſoon as it was found to be diſagreeable to the People.

Anno 14, Geo. II. 1740.

As to the Methods that were taken in the Year 1721, for reſtoring public Credit, and for puniſhing thoſe who had brought it to the very Brink of Deſtruction, they were ſo much approved of at that Time, both within Doors and without, that I am ſurprized to hear them now com-

Anno 14, Geo II. 1740.

plained of. The public Credit was in a ſhort Time effectually and amazingly reſtored, and the Guilty were condignly puniſhed, without either Severity or Partiality; and by reducing the Intereſt payable to the Proprietors of the South-Sea Stock, as it was then augmented and eſtabliſhed, a moſt extraordinary Advantage has accrued to the Public. Theſe Facts are ſo notorious, and the Arguments in Favour of what was done at that Time, are ſo recent in every Man's Memory, that I ſhould not trouble you with Proofs of the former, or a Repetition of the latter. And for the ſame Reaſon, I think it unneceſſary to trouble you with a Re-juſtification of the Hanover Treaty, or any of the Meaſures conſequent thereupon. But as to the Complaint relating to the Convention, and the Arguments made uſe of in Favour of the Addreſs propoſed, when that Treaty was under the Conſideration of this Houſe, as it is ſomething new, I ſhall beg leave to make ſome few Remarks upon it.

'In the firſt Place, I muſt obſerve, Sir, that thoſe who make this Complaint ſeem to have forgot the Station in which the Honourable Gentleman, whoſe Character is now attacked, has always ſerved his Majeſty. Even ſuppoſe he were, as they repreſent him, the chief and ſole Miniſter, it would be impoſſible for him to govern and direct all our foreign Negotiations, as well as all the Affairs of the Treaſury. He muſt leave the Management of our foreign Affairs to others, and muſt take his Information, as to Facts, from thoſe that are entruſted with the Management of them; therefore, when he is to talk of them in this Houſe, or any where elſe, he may be impoſed on as well as others; and conſequently, ſuppoſe he had ſaid in this Houſe, that his Catholic Majeſty was inclined to live in Peace with this Nation, or that the Spaniſh Court ſeemed willing to agree to reaſonable Terms for ſecuring our Trade and Navigation in the American Seas, when in Fact it appeared to be otherwiſe, we are not from thence to conclude poſitively, that he affirmed what he knew to be falſe: It would be more charitable, and, I am ſure, more conſonant to his Character, to ſuppoſe, that he had himſelf been impoſed on, and that he had given more Credit to our Negotiators, for he was himſelf none of them, than they deſerved.

'But, Sir, I am ſtill of Opinion, that the Facts were not otherwiſe. I am convinced his Catholic Majeſty himſelf was inclined to live in Peace with this Nation; and I am convinced the Court of Spain would have given us Security for the Freedom of our Trade and Navigation in the American Seas, if any Method could have been contrived for preventing the illicit Trade carried on with their Settlements

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in America. This a little Time might probably have produced, if the People here could have been prevailed on to have had Patience, and in that Caſe, the Convention would have proved a good Foundation for a ſolid and laſting Peace; but nothing would ſatisfy the People here, but immediate Satisfaction and Security, or an immediate War. We know who they were that inſtigated the People to be ſo peremptory in their Demands; and I ſhall not ſcruple to own it as my Opinion, that, by the violent Spirit ſtirred up among our People here at Home, our Miniſters, of whom the Gentleman now complained of is but one, were, in ſome meaſure, forced into Meaſures that have ſince forced the Nation into a War. Anno 14, Geo. II. 1740.

' Gentlemen may ſay what they pleaſe of the Sum of Money agreed by Spain to be paid to us, for the Damages we ſuſtained by the Depredations; but, Sir, I will now again affirm, that they agreed to pay us 200,000l. and would have immediately given Orders for the Payment of it upon their Governors in the Weſt-Indies; but we know the Tediouſneſs of theſe Payments, therefore we inſiſted upon having it in ready Money, and upon that Condition we agreed, I think, wiſely agreed, to allow 45,000l. for prompt Payment, which reduced the 200,000l. to 155,000l. and out of this it was both reaſonable and juſt, to allow them to deduct what was due to them, on Account of the Ships agreed to be reſtor'd to them by the Treaty in 1721, amounting to 60000l. which reduced what they had agreed to pay to us on Account of Damages to 95,000.

' Thus, Sir, it appears, that they had actually allowed us 200,000l. in lieu of Damages. This was a great deal above the Value of all the Ships they had ever before acknowledged to have been unjuſtly ſeized or taken from us; and therefore, their agreeing to pay us this Sum, was a tacit Acknowledgment of their having been in the wrong; and, without any Regard to what was due to them from our South-Sea Company, the Balance as I have ſtated it, and as it was ſtated by the Convention, would, I believe, have been paid to us at the Time appointed, if we had recalled our Squadron from Gibraltar; but, conſidering the violent Spirit that prevailed here at Home, our Miniſters could not venture to do ſo, for fear of having our domeſtic Tranquillity diſturbed by ſome furious, popular Commotion; and the Court of Spain looking upon the Continuance of our Squadron at Gibraltar as an Inſult upon their Crown and Kingdom, refuſed to pay the 95,000l. ſtipulated by the Convention. That they had no Right to look upon our keeping a Squadron at Gibraltar as an Inſult, is certainly true; for

Anno 14, Geo II. 1740.

as it is now the Property of Great Britain, we may always keep a Squadron there if we pleaſe; but, as we had never before done ſo, as we had never ſent or kept a Squadron there, unleſs when we had a Diſpute with ſome of the neighbouring Powers, and as we had then no Diſpute with any neighbouring Power, except Spain, it was naturally to be ſuppoſed, I believe, all Europe did ſuppoſe, that we kept our Squadron there, with a Deſign to oblige the Spaniards to perform punctually what they had promiſed by the Convention; and in this Light it muſt be admitted, that the Court of Spain had ſome Reaſon to look upon it as an Inſult; for, tho' I ſhould be very ready to do a Man Juſtice, I ſhould not like to have him ſtand with his Cane over my Head till I did it: I ſhould certainly diſdain to do him Juſtice, as long as he ſtood in that Poſture.

'From hence we may ſee, Sir, that the Arguments made uſe of in favour of the Addreſs propoſed, when we had the Convention under our Conſideration, can be no Objection to the Character of the Honourable Gentleman attacked by this Motion; and as to our Conduct of the War, it is, I am ſure, what he has nothing to do with, any other way than as being one of his Majeſty's Council; ſo that whatever can be ſaid againſt our Conduct of the War, muſt militate againſt every Member of his Majeſty's Privy Council as much as againſt him. But the chief, and, indeed, the only proper Charge that has been made againſt him is, his having endeavoured to obtain a corrupt Influence over a Majority in both Houſes of Parliament; for that he has already obtained ſuch an Influence, will not, I hope, be expreſsly affirmed, however ſtrongly it may be inſinuated. This is, indeed, a heavy Charge; but ſurely Gentlemen do not expect we ſhould take this upon their *ipſe dixit*. It is a Fact which, if true, may certainly be proved: Let any one Member of this Houſe riſe up, let any one who has been a Member come, and ſay, that the Perſon now accuſed ever deſired him, or tempted him either by Threats or Promiſes to vote againſt his Conſcience in Parliament; and we ſhall then have it in our Power to conſider the Weight of the Evidence offered; but ſurely we ought not to condemn a Man upon a general Charge unſupported by any Proof.

'The Gentlemen, it is true, Sir, who have brought this Charge, have offered two Things in Support of it, which require an immediate Conſideration. The one is, a ſort of preſumptive Proof, and the other, a pretended Confeſſion. I ſhall beg leave to examine both; and firſt, as to the preſumptive Proof, they ſay that ſeveral Perſons, and ſome of high Rank, have been turned out of every Office and Employment

ployment they held at the Pleaſure of the Crown, for no other apparent Reaſon, but becauſe they or their Friends oppoſed this Miniſter's Meaſures in Parliament. Here, Sir, I muſt obſerve, that the King has, by our Conſtitution, an unlimited Prerogative to employ what Servants or Officers he pleaſes in the executive Part of our Government, and may employ or diſplace whom he pleaſes without aſking the Advice of any Miniſter; and therefore, the Exerciſe of this Power can never be charged to the Account of any Miniſter. I ſhall grant, that the turning a Gentleman out of his Poſt in the Service of the Crown, for voting according to Conſcience in Parliament, or for oppoſing any Court-Meaſure he could not approve of, would be a very wrong and a dangerous Exerciſe of his Prerogative; but at the ſame time I muſt take notice, that an Oppoſition in Parliament may be ſuch, as will afford a juſt and legal Reaſon for turning the Oppoſer out of the Service of the Crown: When it is indiſcreetly and indecently carried on, or when the Oppoſition proceeds not from Honour or Conſcience, but from mere Reſentment, becauſe the Gentleman has met with a Denial in ſome Suit, which his Majeſty did not think fit to grant. In either of theſe Caſes, even a Man's behaving or voting in Parliament, will be a good Reaſon for diſmiſſing him the Service of the Crown. Beſides theſe, a Gentleman may be guilty of ſeveral ſorts of Offences no way relating to his Behaviour in Parliament, which highly deſerve a Diſmiſſion from the King's Service; and tho' his Majeſty inflicts the Puniſhment, he may, from his natural Tenderneſs, and in pure Charity to the Offender, be prevailed on not to publiſh or declare the Offence. Therefore, when a Member of Parliament is diſmiſſed the Service of the Crown, tho' his Majeſty does not think fit to declare the Offence, it is a Breach of Charity in us, and a Failure in Duty to our Sovereign, to ſuppoſe, that his Majeſty diſmiſſed him for no other Reaſon, but for purſuing the Dictates of his Honour and Conſcience in Parliament.

Anno 14, Geo. II. 1740.

'Now, Sir, with regard to the pretended Confeſſion or Declaration, which has been repreſented as ſuch a heinous Crime. Suppoſe the Honourable Gentleman had made uſe of the very Words that have been mentioned, we ought not ſurely to take them in a wrong Senſe, if they will bear a good one; and therefore we ought to ſuppoſe, that he meant, by oppoſing a Miniſter's Meaſures in Parliament, not an Oppoſition that proceeded from a Conviction of their being wrong, but an Oppoſition that proceeded from mere Reſentment, from a factious Spirit, or from a ſecret Deſign to compel the King to comply with ſome unreaſonable

Anno 14, Geo II. 1740.

able Requeſt; and in either of theſe Caſes, I will join with the Honourable Gentleman in ſaying, That he would be a pitiful Fellow of a Miniſter, if he did not adviſe the King to diſmiſs from his Service, a Man who made ſuch an unworthy Uſe of his Seat in either Houſe of Parliament.

'I have now, I think, ſhewn, Sir, that no particular Crime has been ſo much as alledged, much leſs proved, againſt the Gentleman whoſe Character is propoſed to be ſtigmatized by an Addreſs of this Houſe; that no material Objection has been made againſt any Part of his Conduct, but what has been before anſwered to the Satisfaction of the Nation, as well as of this Houſe; and I hope I have fully anſwered every thing new, that has been ſtarted in this Debate; therefore I muſt think, that our agreeing to this Motion would be a moſt ſignal Breach of our Conſtitution, and a moſt dangerous Encroachment upon the Prerogative of the Crown. We know, Sir, what a Ferment was raiſed in the Nation in a late Reign, by a Proceeding of this ſort; we know how it was then declared, "* That addreſſing the King to diſplace his Friends upon bare Surmiſes, before the legal Trial, or any Article proved, was illegal, and inverting the Law, by making Execution go before Judgment." Do not now let us fall into the ſame Error, leſt it ſhould produce the ſame Effects.

'Before I conclude, Sir, I muſt take notice of the Argument drawn from the Length of Time this Gentleman has had a Share in the Adminiſtration: If the Form of our Government were altogether Republican, there might be ſome Weight in this Argument; but this is another Advantage of our happy Conſtitution, that an able, a good and wiſe Miniſter or Magiſtrate may be continued in the Service of his Country, for his whole Life, without any Danger to our Conſtitution, becauſe the Attachment of the People to their King and Royal Family, will always prevent any bad Effects from his Ambition; and the Controul of a Maſter or Sovereign, as well as of two Houſes of Parliament, will always prevent his being guilty of very enormous Practices; or will at all Times, even when he is in the Zenith of his Power, be able to diſcover and puniſh them, if he ſhould: So that there is as little in this Argument, as in any other that has been advanced in favour of this Motion; and therefore I ſhall give my Negative to the Queſtion.

Sir

* *Legion Letter, Tome* III. *Page* 144.

Sir John Barnard.

Anno 14. Geo. II. 1740.

SIR,

' Before this Motion was made, I expected and I find, I am not diſappointed, that Endeavours would be uſed to perſuade the Houſe, that we ought not to addreſs for removing a Miniſter, unleſs we have ſuch Proofs againſt him, as may be a ſufficient Ground for impeaching him. This ſeems to be the Scope of the Argument made uſe of by the Honourable Gentleman who ſpoke laſt, and if this were to be admitted, there never could be any ſuch Thing as an Addreſs to remove a Miniſter; for if a Miniſter has been guilty of Crimes, and if any Member of this Houſe ſhould have Information thereof, and ſufficient Evidence for ſupporting the Charge, he ought not to move for an Addreſs to remove ſuch a Miniſter; it would be his Duty to lay his Information fully before the Houſe, and to conclude with a Motion for impeaching him, either of High Treaſon, or of high Crimes and Miſdemeanors, according to the Nature of the Charge. The moſt weak, the moſt continued Series of blundering Conduct, could never be admitted as a Foundation for addreſſing our Sovereign to remove him; and thus, if he continued in the Favour of his Prince, which is not at all impoſſible, he might go on blundering, till he had blundered himſelf, his King, and his Country into irretrievable Perdition. Sir John Barnard.

' I ſhall grant, Sir, that this Houſe has ſeldom proceeded to addreſs for the Removal of a Miniſter, unleſs he was ſuſpected of ſomething that was acknowledged to be criminal, but this did not proceed from its being neceſſary to alledge ſomething criminal as a Foundation for ſuch an Addreſs, but becauſe weak Miniſters are generally wicked as well as weak: By their Weakneſs they run themſelves into Meaſures which they find they cannot juſtify, and for which they ought to be removed, and then to prevent their Removal, they lead themſelves into Meaſures for which they ought to be puniſhed. This is the true Reaſon why ſuch Addreſſes have generally been founded upon the Suſpicion of Wickedneſs as well as Weakneſs; becauſe when there were two Reaſons for removing a Miniſter from the King's Councils, the Houſe was certainly in the right to inſiſt upon both. But let it be Weakneſs, or let it be Wickedneſs, for which a Miniſter is to be removed, will any Gentleman ſay, that it is neceſſary to mention particular Facts, and that we ought to have a Proof of theſe Facts, before we can addreſs for the Removal of a Miniſter? The Honourable Gentleman talks of bare Surmiſes and general Arguments, as if they could not afford

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afford the leaſt Ground for ſuch an Addreſs. Sir, they not only afford ſome Ground, but they are the only Ground upon which ſuch an Addreſs can be founded; becauſe when there is any Thing farther than a bare Surmiſe, we ought, as I have ſaid, to go farther than a bare Addreſs.

'But by ſuch an Addreſs, it ſeems, we are to blacken the Character of an Honourable Gentleman who has ſerved his Country for many Years, and during ſeveral Reigns, with great Wiſdom and Integrity. It is a great Misfortune, Sir, to thoſe who have ſo high an Opinion of his Wiſdom and Integrity, that the general Voice of their Country is againſt them, and that the Situation of Affairs, both at home and abroad, ſeems to be a demonſtrative Proof againſt them; but let the Honourable Gentleman's Character for Wiſdom and Integrity be ever ſo great, it cannot be blackened by the Addreſs of this Houſe, becauſe a Man's Character does not depend upon what a Court of Juſtice does or refuſes to do againſt him, but upon the Opinion the World has of what a Court of Juſtice ought to do. Should we addreſs the King to remove one that is generally ſuppoſed to be an upright and wiſe Miniſter, would that Addreſs blacken his Character? No, Sir, it would only blaſt our own. Should we refuſe to addreſs the King to remove one who is generally thought to be a weak and wicked Miniſter, would that Refuſal brighten his Character? No, Sir, but it would blacken the Character of this Houſe in the Eyes of all thoſe who had ſuch an Opinion of him.

'I hope Gentlemen will conſider this, and if they do, I am ſure, they muſt reflect more ſeriouſly upon the Conſtitution of this Houſe than they ſeem to do, when they ſay, that the Sentiments of the Majority of the better Sort of People in the Nation, are to be judged of from what appears to be the Sentiments of the Majority of this Houſe. It is well known, Sir, how unequally the Nation is repreſented in this Houſe. I believe it will be allowed, that the Cities of London and Weſtminſter, the Borough of Southwark, and the County of Middleſex, contain at leaſt one fifth of the People of the whole Nation, yet they have but ten Repreſentatives in this Houſe, which makes not quite a 55th Part of the Number of Members in this Aſſembly; and what is very remarkable, I believe, it will appear, whatever may be the Fate of this Motion, that of theſe ten, there will be eight upon the Affirmative Side of the Queeſtion, If we conſider our Counties and great Cities, and compare them with our little Boroughs, the Diſproportion will be found almoſt as great, which ſhews, that we ought not to judge of the Sentiments of the better Sort of People, from what appears to be

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the Sentiments of the Majority of this Houſe; and if we conſider, that ſeveral Gentlemen of this Houſe take upon them to vote, in many Queſtions, againſt the declared Sentiments of their Conſtituents, the Fallaciouſneſs of this way of judging will appear ſtill more apparent. Therefore, I would not have Gentlemen plume themſelves too much in a Majority of this Houſe, or conclude from thence, that they have a Majority of the better ſort of People upon their Side of the Queſtion; for if the Members of this Houſe are to be ſuppoſed to ſpeak the Sentiments of their Conſtituents, and if we conſider the Places, and not the Perſons, that vote upon each Side of the Queſtion, it will appear, that the Sentiments of the Majority of the better ſort of People are often very different from what appears to be the Sentiments of the Majority of this Houſe. Anno 14, Geo II. 1740.

If we judge by this Rule, Sir, which is the only proper way of judging, we ſhall find, that this Miniſter's Conduct, almoſt in every remarkable Step, with regard both to foreign and domeſtic Affairs, has been diſapproved of by a great Majority of the better ſort of People in the Nation, tho' not by a Majority of this Houſe; and I am ſure, no Man who knows any thing of what paſſes without Doors, will pretend to deny his being complained of, and even exclaimed againſt by a great Majority of the People. In former Times, Sir, *Vox Populi eſt Vox Dei*, was held to be a Maxim among all thoſe who called themſelves *Whigs*; and even Miniſters themſelves, of whatever Denomination, were obliged to ſhew a great Regard to it; but ſince we have fallen into the Cuſtom of keeping up numerous Standing-Armies, this Maxim has been deſpiſed by our Miniſters, even by thoſe Miniſters that called themſelves *Whigs*, and the Populace, or what Miniſters and their Friends call, the Mob, has been held in Contempt, as if it were poſſible to ſuppoſe, that the Populace, or meaner ſort, can be generally diſcontented, when the better ſort are generally pleaſed with the Conduct of our public Affairs. The Populace in all Countries are the Servants, and, unleſs when agitated by ſome Flaſh of enthuſiaſtical Madneſs, ſpeak the Sentiments of the better ſort. The latter, as they have ſomething to loſe beſide their Lives, may not, perhaps, be ſo ready to break out, or to fall into outragious Meaſures againſt an eſtabliſhed Government, but, except in the Caſe I have mentioned, the meaner ſort, or the Mob, never become outragious, unleſs they are ſpirited up by the Diſcontents and ſecret Grumblings of their Maſters. A wiſe and a good Miniſter will always, therefore, aim at Popularity, even amongſt the meaneſt ſort of People, becauſe from them he may moſt certainly

Anno 14, Geo. II. 1740.

learn his real Character among thoſe of the better ſort. The former have nothing to hope for by flattering him, and much leſs to fear than their Maſters, from uttering thoſe Complaints openly and freely, which are in a ſecret, or indirect manner, inſtilled into them by thoſe that give them Bread.

'The People, I ſhall grant, Sir, are in all Countries fond of Changes of Miniſters or Magiſtrates. In free Countries they are fond of them, becauſe ſuch Changes are neceſſary for the Security and Preſervation of the Rights and Liberties of the People; and in abſolute Governments, as Miniſters and Magiſtrates are generally oppreſſive, the People have Reaſon to be fond of any Change. This Fondneſs is therefore in all Countries founded upon ſolid Reaſons, and accordingly we find, that People of all Ranks and Degrees, except Miniſters, and their Creatures, are equally fond of ſuch Changes; but to ſay, that the People of any Degree, in a Country that ſubſiſts by Trade and Induſtry, delight in War, is, I think, a very great Miſtake. If we examine the Hiſtories of our own Country, we ſhall find that the Nation has been led into unneceſſary and deſtructive Wars by the Whims of a Court, and that by the ſame ſort of Whims, we have ſometimes remained at Peace, when we ought to have declared War; but we ſhall never find, that the People in general were for entering into an unneceſſary War, or for our continuing in Peace when it appeared neceſſary to declare War. In King James Iſt's Time, it was certainly the Intereſt of this Nation, and would have redounded very much to our Honour, to have ſupported the Proteſtant Intereſt in Germany, by entering heartily into that War; but we had at that Time ſuch a pacific Court, that neither the Honour nor Intereſt of this Nation, nor the Safety of the Proteſtant Religion, could prevail with our Court to declare War, or to give the Proteſtants any effectual Aſſiſtance. What did the People do upon that Occaſion? Did not they declare almoſt unanimouſly for War? Did not they exclaim againſt the then Miniſters, for allowing the Palatine Family to be ruined, and the Proteſtant Religion extirpated both in the Palatinate and in Bohemia. In King Charles IId's Time, we were involved by our Court in two Wars againſt the Dutch: I believe, no Man will now ſay, they were neceſſary: I believe it will now be admitted, that both were contrary to the true Intereſt of this Nation, and deſtructive to the Balance of Power in Europe: Accordingly, the People declared againſt both. And laſtly, Sir, I believe, we all remember, how generally the People declared for a War with Spain, long before our Miniſter could be prevailed on, either

either by the Inſults of Spain, or the Complaints of our own People, to declare War againſt that Nation. The Event has ſhewn, that the People were in the right. What had been often foretold in this Houſe, at laſt appeared to be true, that without a War it would be impoſſible to obtain either Satisfaction or Security from the Spaniards; and ſurely it muſt now be allowed, that if we had begun this War eight Years ago, when the Emperor was attacked by the Spaniards in Italy, it would have been greatly to our Honour, as well as Advantage, and might have prevented the preſent melancholy Poſture of Affairs in Europe. Anno 14, Geo. II. 1740.

'Thus, Sir, if we examine our own Hiſtories, we ſhall find that at all Times, when our Miniſters and People have differed in Opinion with regard to War or Peace, the People have generally been in the right; and for this it is eaſy to aſſign a Reaſon, becauſe the People can be directed in their Judgment by nothing but the general Intereſt, whereas Miniſters are too often directed by particular Intereſt of their own, or by the particular Intereſt, perhaps the particular Whim of their Sovereign, in complying with which, Miniſters are apt to be extremely complaiſant, for the ſake of continuing themſelves in Power, eſpecially when they think, they can by Corruption, or any other Method, prevent their being called to an Account in Parliament.

'From hence, Sir, we may ſee, that the Unpopularity of our Miniſter does not proceed from an unreaſonable Fondneſs in our People for War, or from any childiſh Deſire of being aſtoniſhed with extraordinary Events, but from their having judged better, and more diſintereſtedly, of the Circumſtances of our foreign Affairs, and the true Intereſt of their Country; and if he has incurred the Diſpleaſure of all Ranks of People, upon this or any other Account, his Character is already branded: It cannot be farther branded by an Addreſs of this Houſe to remove him: On the contrary, it may by that means be vindicated; becauſe after his Removal, and not till then, a ſtrict and impartial Enquiry may be made into his Conduct, and by that Enquiry his Character may be cleared of thoſe Suſpicions that now lie ſo heavy upon it. This, I ſay, may be the Conſequence of the Addreſs propoſed, and then he may again be employed by his Majeſty; but whilſt he labours under a general Suſpicion of Weakneſs or Wickedneſs, will any one ſay, he is fit for being in his Majeſty's Councils, and far leſs for being his Majeſty's ſole Adviſer? Let the People be never ſo bad Judges of a Man's Virtue or Wiſdom: Let the Clamours againſt the Miniſter's Conduct be never ſo groundleſs, can his Majeſty expect any Confidence from his Parliament,

Anno 14, Geo II. 1740.

while his Councils are directed by a Miniſter againſt whom there is a general Suſpicion and Clamour.

‘ Surely, Sir, if there be any Connexion between the Sentiments of the Majority of this Aſſembly, and the Sentiments of the People: If we are to judge of the Sentiments of the People, by what appears to be the Sentiments of the Majority of this Aſſembly, we may, on the other hand, judge of what will be the Sentiments of the Majority of next Parliament, from what are the preſent Sentiments of the People; and if the Majority of next Parliament ſhould conſiſt of ſuch as have the ſame Opinion of this Miniſter as the People generally have, can his Majeſty expect any Confidence from ſuch a Parliament? Can it be expected that they will truſt the Government of their Country to a Man, who, they think, will ruin it by his Weakneſs, or betray it by his Wickedneſs? Sir, the chuſing of a new Parliament, whilſt ſuch a Miniſter is, or is ſuppoſed to be the ſole Director of our Councils, muſt neceſſarily be of the moſt dangerous Conſequence, either to our happy Conſtitution, or to our preſent happy Eſtabliſhment. If the People are left to their free Choice, in the preſent Humour they are in, they will certainly chuſe ſuch for their Repreſentatives as have been the moſt profeſſed and ſteady Enemies to him; and among them a Majority may get in of ſuch as are ſecretly diſaffected to the Illuſtrious Family now upon our Throne, which would certainly be of the moſt dangerous Conſequence to our preſent happy Eſtabliſhment. On the other hand, if the People ſhould not be left to their free Choice, if they ſhould be directed in their Choice by Corruption, and other illegal Practices, and thereby a Majority ſhould be choſen conſiſting of ſuch as are the Creatures and Tools of the Miniſter, what might we not apprehend from ſuch a Majority during the long Courſe of a *Septennial* Parliament? Could we expect, that ſuch a Majority would have any Regard to the Liberties and Privileges of the People? Muſt we not expect, that they would put an End to our happy Conſtitution, when we conſider, that the future Safety both of themſelves and their Patron would depend upon its final Overthrow?

‘ It is ſo apparent to me, Sir, that one or other of theſe Dangers muſt be the Conſequence of having a new Parliament choſen, whilſt ſuch an unpopular Miniſter is at the Helm of Affairs, that I cannot believe any Man, who conſiders the Queſtion in this Light, will be againſt it, unleſs he be a ſecret Enemy, either to our Conſtitution, or to our preſent Eſtabliſhment. If there be any amongſt us, as I hope there are not, who are afraid of having our Conſtitution

m reſtored to its priſtine Vigour, by the Choice of an in-
pendant and free Parliament, they have Reaſon to be
gainſt this Motion: and I am ſure, if I were a Jacobite in
y Heart, there is nothing I ſhould wiſh more eagerly than
o ſee a Negative put upon the Queſtion, becauſe I ſhould
rom thence expect, that my Friends would ſtand a fair
Chance, in every Part of the Kingdom, of getting them-
ſelves choſen Members of this Houſe at the next enſuing
lections.

' I hope I have now ſhewn, Sir, that the Miniſter, pro-
poſed by this Motion to be removed, muſt be allowed to be
a very unpopular Miniſter; that his Character can be no
way blackened by this Addreſs farther than it is already,
but, on the contrary, may be cleared of the Cloud of Suſ-
picion which now hangs lowering over it; and that his
Continuance in Power muſt be of the moſt dangerous Con-
ſequence, either to our Conſtitution, or to our preſent Eſta-
bliſhment. I have no Occaſion to prove, and, indeed, it is
impoſſible to prove, that he is the chief Adviſer and ſole
Director of all our public Affairs: It is ſufficient for my Ar-
gument, if he be generally ſuppoſed to be ſo; and that this
Suppoſition is generally without Doors, is apparent from the
continual Application made to him in all Branches of public
Buſineſs: No Man, we ſee, expects to get any Buſineſs done
with, or obtain any Favour from the Crown, without making
ſome Sort of Application to him; for if he puts a Negative
upon it, that Negative has often been found to prevail
againſt the ſtrongeſt Intereſt that could any other Way be
made in its Favour. This is the Caſe, this has long been
the Caſe, with regard to all Affairs of a domeſtic Nature;
and with regard to thoſe that are foreign, do not we know,
that ſome very near Friend of his has been employed in all
our Negotiations that were of any great Importance to the
Nation? Our other Miniſters may, perhaps, have had from
him the Liberty to nominate a Reſident, or an Envoy to
ſome of the Northern Crowns, or to ſome of the little
Princes of Germany or Italy; but when any important
Negotiation was ſet on Foot with Holland, France or Spain,
every one knows who they are that have been always em-
ployed, and by whoſe Recommendation they were appoint-
ed; and our many fruitleſs Negotiations, and as fruitleſs
Treaties, have ſufficiently teſtified their great Abilities.

' Theſe Circumſtances, Sir, have moſt juſtly created a
general Suppoſition, that this Miniſter has been for many
Years, and is ſtill, the ſole Director of all our public Affairs;
and this Suppoſition it will be impoſſible for our other Mini-
ſters to remove by ſimply aſſerting, that it is not ſo. I have,

Sir,

Anno 14. Geo. II. 1740.

Sir, a very great Opinion of their Veracity; but this does not depend upon their Veracity, but their Judgment; becauſe an artful Miniſter may make them believe, they act freely and without Direction, when all but themſelves ſee they can do nothing without his Conſent or Connivance. However, I muſt tell them, that they have not in this Caſe an equal Title with others to be believed, becauſe their own Honour is very much concerned in the Queſtion; for as a Prime Miniſter is inconſiſtent with our Conſtitution, when any one Miniſter, by his Favour with the Prince upon the Throne, uſurps the ſole Direction of all our public Affairs, no Man of Honour will then continue in the Adminiſtration, becauſe he does not then ſerve his Prince, but his Prince's Prime Miniſter. This is what no Man of any Pretence to Honour will confeſs, and therefore, when he aſſerts the contrary, he has not an equal Title to be believed with thoſe, who are neither in Honour nor Intereſt concerned in the Queſtion.

'I therefore wiſh, Sir, that ſome Honourable Gentlemen would ſave themſelves the Trouble of denying, that our public Affairs are now under the ſole Influence of this Miniſter, becauſe conſidering ſome late Circumſtances, and their known Intereſt in the Queſtion, they cannot expect to be believed, and becauſe the very Suppoſition of its being ſo, is ſufficient for the Argument I have advanced. The very Suppoſition that this Miniſter is a ſole and Prime Miniſter, muſt expoſe our preſent Eſtabliſhment to Danger at the next general Elections; but this is far from being the only Danger we are expoſed to by this Miniſter's Continuance in Power. We know the preſent tickliſh State of the Affairs of Europe: We know what a Danger the Balance of Power is now in; and we know what a Diſcredit his paſt Conduct has brought upon our Councils at every Court in Europe. If he is ſuppoſed to continue in the chief Direction of our public Affairs, can we expect a Confidence from any of thoſe Courts? Can we expect, that any of the Potentates of Europe will enter into an Alliance with us, for reſtoring or preſerving the Balance of Power? From Experience we know how little capable he is of conducting any Negociation; therefore, if he continues but one Year longer at the Head of our Councils, we have Reaſon to apprehend ſome falſe Step or Blunder, which may put it out of the Power of any future Adminiſtration to recover our Affairs, or to form any Scheme for ſecuring the Liberties of Europe; and if all the Powers thereof ſhould be obliged to ſubmit to the Direction of our moſt dangerous Rival, what can this Nation at laſt expect?

This

' This Danger, Sir, is ſo apparent, and is now become ſo imminent, that our complying with this Motion is, in my Opinion, a Duty we owe both to our King and Country. Suppoſe I thought this Miniſter guilty of no Crime; ſuppoſe I had approved of every Step of his paſt Conduct, yet the Weakneſs of his Meaſures appears now ſo plain from their Effects, both abroad and at home, that I ſhould be for addreſſing to remove a Miniſter, who had led me, as well as his Country, into ſuch fatal Errors. Political Meaſures, Sir, are of ſuch an abſtruſe Nature, and ſo often admit of a falſe Gloſs, that a Miſtake can no Way derogate from the Underſtanding of thoſe who are obliged to judge of them, without having all the Lights neceſſary for forming a right Judgment. I know there are many Gentlemen in this Houſe, who have approved of moſt of this Miniſter's Meaſures: According to the Lights they viewed them in at the Time, they appear'd wiſe and right; but will any Gentleman now ſay, they were ſo? Will any Gentleman now ſay, the Treaty of Hanover was a right Meaſure? Will any one now approve of the Meaſures taken, and the Expence we put ourſelves to, in Purſuance of that Treaty? Will any one now ſay, we ought to have gone precipitately into a general Guaranty of the Pragmatic Sanction, without ſtipulating the leaſt Satisfaction for any Prince in Germany, with regard to the Claims he had upon the Houſe of Auſtria. Anno 14, Geo. II. 1740.

' Surely, Sir, before we entered into that Guaranty, we ſhould have taken care, that more than one Half of Germany ſhould not be engaged in Intereſt to oppoſe that which we had guaranty'd. The Claims now ſet up by Pruſſia were certainly known to our Miniſters, before we guaranty'd the Pragmatic Sanction: For him at leaſt we ought to have ſtipulated ſuch a Satisfaction, as would in Intereſt, as well as by Treaty, have engaged him in the ſame Intereſt with us. If we had done this, neither the Pragmatic Sanction, nor the Liberties of Europe would now have been in any Danger; and therefore, I cannot think, any Man will now pretend to juſtify our having ſo precipitately entered into a general Guaranty of the Pragmatic Sanction: Nay, I believe, even our Miniſter himſelf would not have done ſo, if he had not been forced to it in order to extricate himſelf out of the Dilemma he had brought himſelf into by the Treaty of Seville; for however jealous ſome of the neighbouring Princes of Germany may be, of an Increaſe of Power in the Houſe of Brandenburg, ſurely no Engliſh Miniſter could be actuated by any ſuch Jealouſy; and therefore, I believe, even our Miniſter himſelf would have ſtipulated Satisfaction for the King of Pruſſia, with regard to his Claims in Sileſia, before entering

Anno 14, Geo II 1740.

entering into that Guaranty, if he had not been forced to it by the Dilemma I have mentioned.

'By theſe Meaſures, Sir, and by our neglecting to perform our Guaranty to the Emperor in the Year 1733, the Balance of Power, and the Liberties of Europe have been brought into their preſent Danger. This Danger is not owing to the Emperor's Death, as the Friends of our Miniſter endeavour to inſinuate; for if we had taken right Meaſures, if we had not taken wrong Meaſures, nay, if we had not purſued a long Series of wrong Meaſures, the Emperor's Death could have made little or no Alteration in the Affairs of Europe; ſo that the Emperor's Death had nothing in it fatal to the Liberties of Europe, but its happening before this Nation had an Opportunity to get rid of this Miniſter, and to rectify the Errors it had been led into by him. This, indeed, was very unfortunate, and if he continues but for one Year longer to have the ſame Influence upon our Councils, I may propheſy, that without ſome very ſignal Intervention of Providence, it will be fatal to the Liberties of Europe in general, and conſequently to the Liberties of this Nation in particular. At the reſpective Times theſe Meaſures were taken, they were ſet in ſuch a Light by our Miniſter and his Advocates, that I do not wonder at their having been approved of by every one, who had any Confidence either in his Wiſdom or Integrity; but their Weakneſs, I ſhall not ſay Wickedneſs, appears now ſo plain, from the Effects they have produced, that no Man, not even the Miniſter himſelf, can approve of them; and therefore every Man muſt think, he ought at leaſt to be removed for his Weakneſs. His purſuing ſuch Meaſures, his undertaking, as he did by the Treaty of Hanover, to pull down the over grown Power of the Houſe of Auſtria, may perhaps have proceeded from Wickedneſs: It may have proceeded from his having a greater Regard for a foreign Intereſt, becauſe it coincided with his own, than he had for the Intereſt of his native Country; but this cannot be made appear, as long as he is Maſter of all the Proofs, and has all the Favours of the Crown at his Diſpoſal; and therefore, the firſt Step we muſt take towards diſcovering his Wickedneſs, muſt be to remove him for his Weakneſs, which, with regard to the general Intereſt of Europe, muſt now, as I have ſaid, plainly appear, even to thoſe who have hitherto had the beſt Opinion of his Conduct.

'And now, Sir, with regard to the particular Intereſt of this Nation, will any one now ſay, that it was wiſe or right to allow Spain to amuſe us, for ſo many Years together, with trifling Negotiations, eſpecially as they were, during the whole

whole Time, interrupting our Trade and Navigation, and daily plundering our Merchants? Will any one now ſay, it was wiſe or right to conclude with Spain a ſham Treaty, called a Convention, without obtaining any Satisfaction for paſt Injuries, or any Promiſe of Security againſt future, nay, without obtaining ſo much as a Promiſe for an Intermiſſion of Inſults? When any Point happens to be in Diſpute, by which the Nation is not expoſed to any immediate Loſs or Suffering, our Miniſters may negotiate about it and about it: They may even conclude inſignificant Treaties relating to it, in order to avoid an immediate Rupture, by inſiſting upon an immediate Diſcuſſion; but when we ſuffer daily and greatly by the Point in Diſpute, and have it in our Power to command an immediate Diſcuſſion, ſurely our Miniſters ought not then to allow themſelves to be amuſed with tedious Negotiations or unmeaning Treaties; and much leſs after they have put their Country to a great Expence in preparing for a Rupture, which was our Caſe at the Time we concluded that inſignificant Treaty, called the Convention.

'I am really ſurpriſed, Sir, to hear an Attempt now made to juſtify that ridiculous Treaty, or to hear any one ſay, the Court of Spain had an Inclination to grant us any Satisfaction or Security. Suppoſe they had by the Treaty expreſsly allowed, as they did not, that 200,000l. was due to us in Name of Damages for the Injuries we had ſuffered, but that they ſhould, out of this 200,000l. deduct, upon ſham Pretences, no leſs than 173,000l. ſo as to leave no more than 27,000l to be actually paid to us; muſt not every one ſee, that this would have been no more than a complaiſant Conceſſion, made by the Miniſters of Spain to the Miniſters of Great Britain, in order to furniſh the latter with ſomething wherewith to amuſe their own People? And as it now appears from the Papers upon our Table, that Spain not only inſiſted upon her Right to ſearch our Ships in the American Seas, but that we had no Right to ſail in thoſe Seas, unleſs we obſerved what they might be pleaſed to call a *due Courſe*; it is very ſurpriſing to hear it ſtill aſſerted, that Spain had ever the leaſt Thought of granting to us a free Navigation, or the leaſt Inclination to live in Peace with us, unleſs we continued to allow their Guarda Coſta's to interrupt our Navigation, and to plunder or ſeize our Merchant Ships. Theſe Pretences were not ſet up by verbal Declarations made to our Miniſter or Negotiator in Spain, but by written Memorials delivered or tranſmitted to our Court here; and as all theſe Memorials muſt have been taken into Conſideration in his Majeſty's Cabinet Council,

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it is equally ſurprizing to hear it pretended, that our chief Miniſter was, or could poſſibly be, ignorant of them.

'I ſhall conclude, Sir, with a ſhort Reply to what has been ſaid in Anſwer to the Charge againſt this Miniſter, of his having endeavoured to obtain a corrupt Influence over both Houſes of Parliament. This the Honourable Gentleman admits to be a heavy Charge; but, ſays he, it is a Fact which, if true, may certainly be proved; and for this Purpoſe he provokes any Member to riſe up, and ſay, that the Miniſter ever deſired him, or tempted him, either by Threats or Promiſes, to vote againſt his Conſcience in Parliament. Can it be ſuppoſed, Sir, that any Miniſter would be ſuch a Fool as to talk ſo to a Member of this Houſe? Is there the leaſt Occaſion for him to expoſe himſelf in this manner? Two or three Examples: Two or three Gentlemen being turned out of their Poſts, after having oppoſed the Miniſter's Meaſures in Parliament, will be a ſufficient Warning or Threatning to all the reſt of the Members of either Houſe of Parliament, that hold any Office or Employment at the Pleaſure of the Crown, and alſo to all thoſe that hope for, or expect any Favour from the Crown. By theſe Examples every one will ſee, that none of the Favours of the Crown are to be held or expected, but by reſigning their Conſciences in Parliament to the Dictates of the Prime Miniſter; and this will be as effectual upon all thoſe of venal Minds or neceſſitous Circumſtances, as if the Miniſter had taken them one by one aſide, and threatened them expreſsly with the Loſs of their Employments, or with a Diſappointment to their Hopes, in caſe they ſhould oppoſe any of his Meaſures in Parliament.

'This is therefore the only Proof we can have of a Miniſter's endeavouring to gain a corrupt Influence over both Houſes of Parliament: and can it be ſaid, Sir, that we have no Proof of this kind againſt the Miniſter now propoſed to be removed? Do not we all know, that many eminent Members of both Houſes of Parliament have been lately removed from every Office they held at the Pleaſure of the Crown, ſoon after their having oppoſed ſome of this Miniſter's Projects in Parliament, and that no Cauſe for their Removal ever was, or could be aſſigned, but their having voted according to the Dictates of their Conſcience, in Oppoſition to the Dictates of the Miniſter? Do not we all know, that it has been the conſtant Maxim of his Adminiſtration, to confer none of the Favours of the Crown, but upon ſuch as voted according to his Directions at Elections or in Parliament? Nay, Sir, he has gone farther than any Miniſter before him ever did: He has declared this to be his

his Maxim openly: He has avowed it in the Face of this very Aſſembly; and ſhall we deſire or ſeek for a Proof of a criminal Fact, which the Criminal himſelf has avowed and boaſted of in this very Aſſembly? Anno 14, Geo. II. 1740.

* The Excuſe made for this open Attack upon our Conſtitution, is a new Confeſſion of the Miniſter's Guilt. Is the Miniſter, is the King himſelf, to take notice of the Oppoſition made by any Gentleman in Parliament? Has the Miniſter, has the King himſelf, a Right to judge or determine, whether or no ſuch an Oppoſition be indiſcreetly and indecently carried on, or whether it proceeds from Reſentment or from Conſcience? Sir, there would be an End of the Freedom of Speech in Parliament, at leaſt with regard to all Gentlemen, who held or expected any Office or Place depending upon the Pleaſure of the Crown, if the King himſelf ſhould aſſume ſuch a Right; and therefore, any Miniſter that adviſes him to do ſo, muſt be guilty of a very high Miſdemeanor. If any Gentleman ſhould ſpeak, or behave himſelf indecently or indiſcreetly here, the Houſe would certainly take notice of it; and whilſt a Gentleman behaves himſelf decently and diſcreetly, whatever Oppoſition he makes to any Queſtion in this Aſſembly, muſt, and ought to be ſuppoſed to proceed from Motives of Honour and Conſcience, and not from Motives of Malice or Reſentment. If the Crown, or rather the Miniſters of the Crown, were allowed a Right to judge in ſuch Caſes, every Word ſpoke againſt them would be deemed to be indecent, and every Oppoſition to their Meaſures would be ſuppoſed to proceed from their Malice or Reſentment; and thus they would conclude, they had a juſt and legal Reaſon for turning every Man out of the Service of the Crown, that ſhould oppoſe any of their Meaſures in Parliament.

* Sir, the King may, it is true, exerciſe ſome of the Prerogatives of the Crown without aſking the Advice of any Miniſter; but if he does make a wrong Uſe of any of his Prerogatives, his Miniſters muſt anſwer for it, if they continue to be his Miniſters. This, Sir, is one of the Advantages of our Conſtitution, and it is a very high Advantage; becauſe it makes it dangerous for Miniſters to endeavour to gain a ſuperior Degree of Favour with the King, by humouring the Paſſions and Frailties of human Nature, by which Kings, as well as other Men, are too apt to be governed. But this Advantage we loſe, Sir, when we happen to have an unpopular Miniſter, or one who fears the Reſentment of the People, and has no way to guard againſt it, but by gaining a corrupt Majority in Parliament; for ſuch

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a Man muſt for his own Safety endeavour to humour his Sovereign in all his Paſſions and Frailties, for the ſake of preſerving his Favour, upon which alone his perſonal Safety, as well as his Power, depends; and if ſuch a Man ſhould, by ſuch Means, ſolely engroſs the Favour of his Maſter, and thereby gain a corrupt Majority in both Houſes of Parliament, I ſhould be glad to know what Controul he is under, or by what legal Means our Conſtitution could be reſtored. This unlucky Situation we may fall into by having the ſame Miniſter too long continued in Power. This Danger we have, I think, ſome Reaſon to apprehend from our Miniſter's being longer continued in Power; and therefore I ſhall be for agreeing to the Motion now under our Conſideration.

Mr. Harley.

SIR,

Mr. Harley.

' I do not ſtand up at this Time of Night, either to accuſe or to flatter any Man. Since I have had the Honour to ſit in Parliament, I have oppoſed the Meaſures of the Adminiſtration, becauſe I thought them wrong; and as long as they are, I ſhall continue to give as conſtant an Oppoſition to them. The State of the Nation, by the Conduct of our Miniſters, is deplorable: A War is deſtroying us Abroad, and Poverty and Corruption are devouring us at Home. But whatever I may think of Men, God forbid, that my private Opinion ſhould be the only Rule of my Judgment! I ſhould deſire to have an exterior Conviction from Facts and Evidence; and without this I am ſo far from condemning, that I would not cenſure any Man. I am fully ſatisfied in my own Mind, that there are thoſe who give pernicious and deſtructive Counſels; and, I hope, a Time will come, when a proper, legal, parliamentary Enquiry may be made, and when clear Facts and full Evidence will plainly diſcover who are the Enemies of their Country.

' A noble Lord, to whom I had the Honour to be related, has been often mentioned in this Debate: He was impeached and impriſoned; by that Impriſonment his Years were ſhortened; and the Proſecution was carried on by the Honourable Perſon, who is now the Subject of your Queſtion, tho' he knew at that very Time, that there was no Evidence to ſupport it. I am now, Sir, glad of this Opportunity to return Good for Evil, and to do that Honourable Gentleman and his Family that Juſtice, which he denied to mine.

Mr.

Mr. Pulteney.

Anno 14, Geo. II. 1740.

Sir,

Mr. Pulteney.

' Tho' it is now very late, yet I did not, at firſt, think of ſpeaking ſo early in the Debate, becauſe I had a Mind to have heard firſt what the Honourable Gentleman had to ſay in his own Vindication; but ſince the Houſe ſeems to be of Opinion, that he ought to be the laſt Speaker in this Debate, I find my ſelf obliged to alter my Intention, and to give you my Sentiments upon the Queſtion, before I hear what he has to ſay. As this, I ſay, ſeems to be the Opinion of the Houſe, I ſhall not preſume to ſay it is partial; but I muſt obſerve, that it is contrary to the eſtabliſhed Practice in all other Caſes in this Houſe, and in all other Courts of Juſtice I have ever heard of; for both in this Houſe, upon all other Occaſions, and in all other Courts, the Petitioner or Proſecutor is always allow'd to reply; and if this Method had been obſerved upon this Occaſion, I ſhould have reſerved myſelf for the Reply, in which Caſe I ſhould have taken particular Care not to have mentioned any new Charge, but would have confined myſelf entirely to thoſe Facts, that had been before mentioned in the Debate. This ſhould have been my Method, had I been allowed to ſpeak by way of Reply; but now, I think, I may take the Liberty, if I think fit, to take Notice of ſome Facts that have not been yet mentioned in the Debate; and I hope the Houſe will give me leave to explain a little farther ſome of thoſe weak or wicked Meaſures that have been already mentioned.

' To begin, Sir, with our foreign Affairs: I muſt go a little farther back than the Treaty of Hanover, in order to ſhew the Weakneſs of that Treaty; and if I can ſhew, that the Miniſter, whoſe Conduct is now the Subject of Debate, muſt himſelf have been conſcious of the Weakneſs of that Treaty, it was then wicked in him to approve of it, or to purſue that pernicious Plan of Politics, upon which it was founded. Sir, the Plan, and the right Plan of Politics, which had been purſu'd during the whole Reign of King William, and the whole Reign of Queen Anne, till towards the latter End of it, when a new Miniſtry began to take new Meaſures, was to diminiſh the Power of the Houſe of Bourbon, and add to the Power of the Houſe of Auſtria, in order to preſerve a Balance of Power in Europe. In execution of this Plan we joined, not as Auxiliaries, but as Principals, in two dangerous Wars againſt France: We expended many Millions; we run ourſelves many Millions in Debt, moſt Part of which remains as yet a Load upon this Nation; and

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and the Earl of Oxford, our Miniſter at the End of the Queen's Reign, was impeach'd the Beginning of laſt Reign, for not purſuing this Plan. The chief Article againſt that Miniſter was, his having, by the Peace of Utrecht, left the Power of the Houſe of Auſtria too ſmall in Italy and Flanders, and the Kingdom of Spain under a Sort of Dependance upon the Court of France. This I ſay, was the chief Article of Impeachment againſt that noble Earl, and this our preſent Miniſter could not be ignorant of, becauſe he was Chairman of that very Committee, which drew up thoſe Articles of Impeachment, and was then one of the warmeſt Proſecutors of that noble Earl.

'To remedy one of the Faults found with the Treaty of Utrecht, we entered into a Negotiation, ſoon after the Acceſſion of his late Majeſty, for giving Sicily to the Emperor, in Exchange for Sardinia, which Exchange was eſtabliſhed by the Treaty of London in the Year 1716, and as that Treaty was ſigned by this very Gentleman, he could not be ignorant of the Plan of Politics upon which it was founded. In ſupport of this Plan, we are obliged to engage in a War againſt Spain, which occaſioned our deſtroying their Fleet in the Mediterranean in the Year 1718; and this very Plan was the chief Foundation of the Quadruple Alliance, which Spain afterwards acceded to, tho' the Conditions of that Acceſſion are not, as yet, I believe, fully known. Thus we got one of the Faults found with the Treaty of Utrecht amended, and as to the other, it was by the Hand of God very ſoon removed; for by the Death of the late King of France, and the Regent's ſetting aſide his Will, which, luckily for this Nation, happened ſoon after his late Majeſty's Acceſſion, the Dependence of the Court of Spain upon that of France was remov'd, and an Enmity eſtabliſhed between the two Courts, which ſoon after broke out in an open War.

'By theſe Means the two chief Faults that had been found with the Treaty of Utrecht, were both rectified; and thus the Affairs of Europe ſtood, when this Miniſter began firſt to have an Influence over our Councils. Whilſt a Jealouſy, or rather Enmity, ſubſiſted between the Courts of France and Spain, it was reaſonable enough for us to keep a Correſpondence with the Court of France, eſpecially as at that Time we had a Diſpute with the Court of Spain; but as that Enmity ceaſed by the Regent's Death, and as a good Correſpondence was reſtored between theſe two Courts, by the young King of France's being married to the Infanta of Spain, we ought then again to have begun to be upon our Guard againſt the Ambition of the Houſe of Bourbon, and for this Purpoſe we ought to have continued to cultivate a

good

orreſpondence with the Houſe of Auſtria, and we ought endeavoured, by all the artful Means we could think interrupt that Correſpondence, which had been re- ed between the Courts of France and Spain, and to odate all the Differences ſubſiſting between the of Spain and Vienna. According to the Plan of Po- urſued ever ſince the Revolution, theſe ſhould have e Ends propoſed in all our Negotiations; and for liſhing theſe Ends, a moſt happy and unlook'd-for nt occurred by the Court of France's ſending back anta of Spain, and getting their King married to his Queen.

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his, Sir, was one of the moſt lucky Accidents that ave happened for this Nation, and for Europe, if we nown how to have made the right Uſe of it. The of Spain immediately broke off all Correſpondence at of France, and offered to refer all their Differences he Court of Vienna to our ſole Meditation; but our t Miniſter had then got almoſt the ſole Direction of blic Councils, and upon this Occaſion the Plan of Po- e had laid down to himſelf, firſt began to appear: This as, That, as long as the Court of France did nothing to or interrupt his Poſſeſſion of Power in this Kingdom, d do nothing that might diſpleaſe them; but, on the ry, would do all they deſired, and connive at what they Mind to do, as far as was conſiſtent with his Safety t home. This, I ſay, was his Plan: That it is the Plan ever ſince purſued, I ſhall make appear from the Tenor of his Conduct: And, when we conſider the of it, we cannot wonder at his having employ'd ſuch Relation, in concerting and eſtabliſhing ſuch a Plan. n Purſuance of this Plan, and directly contrary to that of Politics we ſhould have purſued, and for which we pended ſo much Blood and Treaſure, he refuſed to ac- f this ſole Mediation offer'd us by Spain, or to make Advantage of this Difference that had happened be- the Courts of France and Spain. From our refuſing ept of this Mediation, the Court of France had ſome n to hope, that the Difference between the Courts of a and Madrid might remain unaccommodated, till ſhe l find an Opportunity for making up the Breach occa- by ſending back the Infanta of Spain; but the Court in were ſo irritated at the Affront put upon them, hey reſolved at any Rate to accommodate their Dif- es with the Court of Vienna, and for this Purpoſe they Miniſter privately to Vienna, by whoſe Means Trea- Peace, Guaranty and Commerce, were concluded be-

tween

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tween the two Courts in the Beginning of the Year 1725.

'The concluding of theſe Treaties, Sir, and the good Correſpondence thereby eſtabliſhed between the Courts of Vienna and Madrid, gave a moſt juſt and reaſonable Alarm to France. As the Court of Spain was highly and moſt juſtly irritated againſt her, and as the Houſe of Auſtria was her moſt dangerous and inveterate Enemy, ſhe had great Reaſon to be afraid of a cloſe Union between theſe two Powers: She had even ſome Reaſon to fear an immediate Attack. But all the other Powers of Europe, and this Nation in particular, according to our antient and right Plan of Politics, had Reaſon to rejoice at this Union: Even ſuppoſe the Emperor and Spain had jointly attacked France, we might have looked on with Indifference, till one of the Parties had begun to puſh her Conqueſt too far. Till this had happened, even the Dutch might have looked on with Indifference; for tho' there was at that Time a Diſpute ſubſiſting between them and the Emperor, in relation to the Oſtend Company, that Diſpute was not of ſuch Conſequence as to occaſion a Breach; and if the Emperor had, in Conjunction with Spain, reſolved to attack France, he would certainly have ſacrificed that Company, for the ſake of gaining a Neutrality from the Dutch.

'Accordingly, Sir, we ſaw, that the Dutch teſtified no Apprehenſions from thoſe Treaties, or from the cloſe Union thereby eſtabliſhed between the Emperor and Spain. But upon this Occaſion our Miniſter's Plan of Politics produced a new Effect, which has been attended with many notable Miſchiefs to this Nation, and has now at laſt overturned the Balance of Power in Europe. As France had moſt juſtly taken the Alarm, and found ſhe could not inſtil any Fears into the Dutch, ſhe had Recourſe to our Miniſter here, in order to fill our Court with Apprehenſions from thoſe Treaties, that had been concluded between the Emperor and Spain at Vienna. For this Purpoſe, ſhe invented a Story of her having had certain Information from Vienna, that there were ſome ſecret Articles, by which the Emperor and Spain had agreed to take Gibraltar and Portmahon from us, to defeat the Proteſtant Succeſſion by reſtoring the Pretender, and to ruin our Trade with Spain, by granting many conſiderable Advantages to the Emperor's Subjects; and that the only way we had to guard againſt theſe terrible Deſigns, was by entering into a defenſive Alliance with her.

'Tho' this Story was in itſelf ridiculous, becauſe of its being impracticable for the Emperor and Spain to effectuate any of thoſe Deſigns againſt us: Tho' both the Emperor and King of Spain expreſsly denied there being any ſuch ſecret

Articles; Tho' they invited us to accede to the Trea- Anno 14, Geo
ncluded between them; and tho' it was very much the II. 1740.
's Intereſt to do ſo; yet ſuch was our Miniſter's In-
t over our Councils, ſuch his Attachment to the Plan
litics he had laid down for his own Conduct, that he
ed on his late Majeſty to give Credit to this impro-
French-Story, and to conclude with France the Treaty
nover in September 1725, which Treaty the King of
was drawn into, by making him believe, that one of
ſigns of it was, to reſtore the Proteſtants of Thorn,
cure the Obſervance of the Treaty of Oliva; but he
w the other contracting Parties had no ſuch Deſign,
erefore he ſoon left them.

hus, Sir, we were drawn in to ſecure France againſt
attacked by the Emperor and Spain, when, according
antient Plan of Politics, we ſhould rather have pro-
that Attack; becauſe we might eaſily have taken care
either Side ſhould have puſhed the War too far, and,
mean time our Trade would have greatly increaſed by
ay of the Trade of France. I know, Sir, it will
, that the Miniſter, whoſe Conduct is now the Queſ-
efore us, had no hand in that Treaty, becauſe he was
Hanover when it was concluded; but as he had then
ief Direction of our Affairs, and as it is very impro-
any Engliſh Miniſter at Hanover ſhould conclude a
of ſuch Importance, without the Advice of the Coun-
, therefore the Treaty's being ſigned at Hanover, is
of of his having had no hand in it. But, I hope, it
ot be pretended, that he had no hand in adviſing the
es taken in Purſuance of this Treaty; and I ſhall
ew, that thoſe Meaſures were more pernicious, and
plainly demonſtrated his Dependance upon the Coun-
France, than the Treaty itſelf. The Treaty was no
han a defenſive Treaty; and if France had been at-
, we were thereby obliged to furniſh her with no
han 8000 Foot and 4000 Horſe, and that not till two
s after Application ſhould be made for them; ſo that
not, from this Treaty, the leaſt Occaſion for putting
es to the Expence of augmenting our Army, or of

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we ſhould then have had Time enough to ſend out a Squadron ſufficient for diſappointing their Deſigns.

' It is therefore impoſſible, Sir, to find out a Reaſon for the Meaſures we took in Purſuance of this Treaty, any other way than by conſidering what was the Intereſt, and what at that Time might be the Views of the Court of France. From thence, indeed, we may find a Reaſon, and it was, I am fully convinced, the only true Reaſon. France had a Mind not only to guard againſt her being attacked, but it was her Intereſt, and ſhe certainly intended to break that Correſpondence which had been eſtabliſhed between the Emperor and Spain, and to chaſtiſe the Court of Spain a little for daring to take any Meaſures contrary to her Intereſt; and both theſe Ends they intended to accompliſh by Means of her Influence upon our Miniſter, without putting herſelf to any great Expence, or coming to any open Breach either with the Emperor or Spain. Was this poſſible? Yes, Sir, by making the Cat's Paw of this Nation, ſhe accompliſhed all ſhe intended, and in the manner ſhe intended. The Neceſſity of pulling down the overgrown Power of the Houſe of Auſtria, became now the favourite Topic of all our Court-Politicians and Pamphleteers; and in order to prevent the Courts of Vienna and Madrid from carrying their dangerous Deſigns into Execution, our Miniſter prevailed upon us to ſend out two powerful Squadrons, one to inſult the Spaniards upon their own Coaſts, and another to prevent the return of the Galleons; but as France did not intend, that we ſhould reap any Advantage to ourſelves, or do Spain any real Injury, therefore, our Squadron were not to attack the Spaniards either by Sea or Land, but only to perſuade them, in caſe we met with them at Sea, to deliver their Treaſure into our Hands, in Truſt for the ſeveral Parties concerned.

' Thus, Sir, France got us to chaſtiſe the Court of Spain for daring to take any Meaſures contrary to her Intereſt; and then ſhe made a Merit at that Court, of her having prevented us from doing any Miſchief to them, notwithſtanding their having declared War againſt us, and openly attacked our Town of Gibraltar. By this Means ſhe laid a Foundation for getting herſelf reconciled with the Court of Spain, and by Means of that Reconcilement, and her Influence upon our Miniſter, ſhe accompliſhed the other Point ſhe had in View, which was to create a new Breach between the Courts of Vienna and Madrid. For this Purpoſe, his moſt Chriſtian Majeſty became now the Mediator between us and the Court of Spain, and by his Mediation the Treaty of Seville was concluded, which created a new and almoſt irreconcileable

ncileable Breach between the Courts of Vienna and Anno 14, Geo II. 1740.
id.

As by this Treaty we were brought upon the Brink of
forced to enter into a War, in Conjunction with
ce and Spain, againſt the Emperor, the whole Nation
to take the Alarm, ſo that our Miniſter was obliged
to conſult his own Safety; and this drove him precipi-
into the Guaranty of the Pragmatic Sanction, in order
evail upon the Emperor to admit the Introduction of
ſh Troops into the ſtrong Places of Tuſcany, Parma,
Placentia. The Treaty of Seville being, by this dan-
s and raſh Step, fully executed upon our Part, it was
al to expect a due Performance on the Part of Spain;
rance having now by our Means recovered her Influ-
over the Court of Spain, and it being highly advan-
us for the Trade of France to have Diſputes always
ing between us and Spain, France took Care that
ſhould perform nothing of what had been promiſed
r Part by the Treaty of Seville, except, I think, the
tution of the Ship Prince Frederick, and perhaps ſome
e other Ships that had been ſeized in the Ports of
at the Beginning of the Rupture. As to all our other
ands, they remained unadjuſted: The Term for adjuſt-
hem by Commiſſaries expired; that Term was again
gain renewed, and in the mean time the Spaniards ex-
d the Right they had ſet up, of ſearching our Ships in
merican Seas, and ſeizing ſuch of them as had any
s on board, which they were pleaſed to call *contraband*.
is, daily Depredations were committed upon our Mer-
in the Weſt Indies; daily Complaints were made to
iniſter here; and thus Affairs ſtood, when France, in
nction with Spain and Sardinia, thought fit to attack
mperor in the Year 1733, with an avowed Deſign to
him of all his Dominions in Italy.

n the Beginning of the late Reign, Sir, the Power of
ouſe of Auſtria was thought too weak, without the Ad-
of Sicily to their other Italian Dominions. A Mini-
d been impeached for leaving that Houſe in ſuch a
Condition by the Treaty of Utrecht: We had procured
Sicily at the Expence of a War with Spain; becauſe,
t that Addition the Balance of Power in Europe it

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Years before guaranty'd the Pragmatic Sanction, by which the Emperor was induced to admit of the Introduction of Spaniſh Troops into Italy, which Troops were now employed in attacking him: And a third founded upon our own particular Intereſt, becauſe we could not otherwiſe expect to obtain Satisfaction or Security from Spain. Theſe, Sir, were weighty Conſiderations; but the Plan of Politics our Miniſter had laid down, prevailed over all theſe; and we continued idle, tho' not expenceleſs Spectators, till the Power of the Houſe of Auſtria was diminiſhed by the Loſs of Naples and Sicily, and the Power of France increaſed by the Acceſſion of Lorain.

'During this War, the Spaniards favoured us with ſome Sort of Intermiſſion of Depredations; but as ſoon as it was over, they renewed them with more Vigour than ever, and openly boaſted of their being encouraged, and that they would be protected againſt the Effects of our Reſentment, by France. As our Trade in general, as well as our particular Merchants, ſuffered greatly by theſe Depredations, it was highly the Intereſt of the Nation to inſiſt peremptorily upon Satisfaction; but as this was contrary to the Intereſt of France, our Miniſter's Plan of Politics prevailed over the Intereſt of his Country, and the Cries of his Countrymen. At laſt ſomething muſt be done for his Safety here at home, and at a great Expence a Treaty was obtained, by which we neither got Satisfaction nor Security, but a Foundation for another ten Years trifling Negociation. This, he found, the Nation was too wiſe to be amuſed with, and therefore he found himſelf under a Neceſſity of entering into a War againſt Spain: This War, Sir, the Court of France was obliged to connive at, rather than riſk the Loſs of a Miniſter, who had ſhewn himſelf ſo much their Slave; but how was this War to be carried on? According to the Intereſt of this Nation, it was certainly to be carried on in the moſt vigorous Manner, in order to make it of a ſhort Duration; and the moſt exact Care was to be taken of our Trade, becauſe there only the Enemy could hurt us: But according to the Intereſt of France, the War was to be carried on in that Manner, which might make it the moſt laſting, and moſt expoſe our Trade to ſuffer by Spaniſh Privateers; becauſe by this Means, our Trade might at laſt be ruined paſt all Redemption, and the Trade of France eſtabliſhed ſo, as to be out of our Power to hurt it. I ſhall leave Gentlemen to judge, in which of theſe Methods the War has been hitherto carried on: for if it has been carried on in the latter Method, it is a Proof that our Miniſter has to this very Day purſued that Plan of Politics, which I have ſaid he laid down

his Conduct, at the very Beginning of his Admi- Anno 14, Geo. II. 1740.

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ll beg leave, Sir, to mention two other Facts, as a this Plan. By the Treaty of Utrecht, the Port and of Dunkirk were to be deſtroyed, and never to be ; and by a Treaty between his late Majeſty and in the Year 1717, it was ſtipulated, That no Port, or Fortification ſhould be made or built at Dunkirk yke, or any other Place whatever along that Coaſt, vo Leagues of either of thoſe two Places: Yet, Sir, as this Miniſter began to have the chief Direction of irs, not only the French began to uſe Dunkirk as a t it was admitted as ſuch, and as a Flemiſh Port too, tanding its being in the Poſſeſſion of France, even ir Cuſtom-houſe Books; and great Quantities of Brandies were not only allowed to be imported from but to be imported as Flemiſh Brandies, by which oided paying the high Duties impoſed by Law upon Brandies. This Point being once gained, the ſoon began to repair the Port and Harbour of Dun- as to make the Harbour fit for receiving very large nd now at laſt they have begun to repair the Fortifi- and erect Batteries; ſo that in Caſe of a War with we may expect to have our Trade as much infeſted kirk Privateers, as ever it was in the laſt War.

is, Sir, is a farther Proof of our Miniſter's Complai- France; and in order to add another to this, I muſt that both France and Spain have Iriſh Regiments Service; but tho' thoſe Regiments are ſaid to be in ice of France or Spain, and receive their Pay from Chriſtian or his moſt Catholic Majeſty, yet they perly in the Service of the Pretender, and acknow- m for their King and chief Maſter. Therefore, if it reaſon, it is ſomething very like Treaſon, to aſſiſt or at the Recruiting of thoſe Regiments in any of his s Britiſh Dominions: Yet ſuch was our Miniſter's iſance for France, that, at their Deſire, he had like to urred being guilty of this Crime. Nay, he would have incurred it, and thoſe Regiments would have ruited openly in theſe Kingdoms, and with the Con- ur Adminiſtration, if ſome of thoſe whom he has k'd on as his Enemies, had not warned him of his ; which ſhews that their Oppoſition to his Meaſures proceed from Malice and Reſentment, as he has al- inuated, but from a ſincere Regard to the Good of ountry; for ſurely a malicious Enemy would have id to have ſeen him commit ſuch a criminal Error,

and

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and would, therefore, have taken care not to prevent his being guilty of it, by fore-warning him of his Danger.

'Having now, I hope, Sir, ſufficiently demonſtrated our Miniſter's Plan of Politics with regard to foreign Affairs, I ſhall next endeavour to inveſtigate and demonſtrate his Plan of Politics with regard to our domeſtic Affairs; and here, he ſeems to have laid it down as a Rule, to govern by the ſole Means of Bribery and Corruption; and for this Purpoſe, to prevent our being able to leſſen our Debts, or aboliſh any of our Taxes, by running the Nation every Year into extraordinary and unneceſſary Charges, and by every other Method he could contrive. Upon his firſt Acceſſion to the ſole Direction of our public Affairs, we were in a fair way of being able in a ſhort time to pay off every Shilling of our public Debt. The South-Sea Scheme, by its being ſo wickedly conducted, had, indeed, ruined many private Men, but it was of ſingular Service, and might have been made of much greater Service to the Public. Our Irredeemables were thereby made redeemable: The Intereſt payable upon moſt of our public Debts was to be reduced in a few Years from *five* to *four per Cent*; and the South Sea Company were obliged to pay off *ſeven Millions* of our Debts at once, by ſinking ſo much of their Capital. By theſe Means, the Sinking Fund would have been ſo much increaſed, that if it had been religiouſly applied, our public Debts might have been by this time almoſt entirely diſcharged, and all our grievous Taxes aboliſhed; but this would have very much leſſened the Miniſter's Fund for Corruption, by demoliſhing many of thoſe Poſts and Places which he has at his Diſpoſal; and therefore, according to his Plan, this Effect was by all means to be prevented: The public Charge was to be yearly increaſed, in order to oblige us to apply the Sinking-Fund to the current Service, or to run as much in Debt with one Hand, as we paid off with the other; and the Land-Tax was to be repreſented as the moſt grievous Tax to the Nation, becauſe it furniſhed him with the leaſt Means for Corruption.

'In Purſuance of theſe Maxims, the *ſeven Millions* due by the South-Sea Company to the Public was generouſly releaſed, and the Expences of the Civil-Liſt were ſo much increaſed, that a new Debt of 500,000l. was contracted in the Year 1725, for paying the Debts of the Civil-Liſts, tho' the like Sum had been granted to his late Majeſty for the ſame Purpoſe, but *four* Years before; and upon his preſent Majeſty's Acceſſion, an Addition of 100,000l. a Year was made to the Civil-Liſt Revenue, beſides the 115,000l. which was granted for making good a pretended Deficiency in that Revenue.

he overgrown Power of the Houſe of Auſtria, this
was the laſt, and had the leaſt to fear, therefore we
have been the laſt that put ourſelves to any Expence
rding againſt that Danger; and yet we were not only
t, but the only Power in Europe that put itſelf to any
ce upon that Account. The Dutch that lay moſt
d, were ſo very little apprehenſive, that they did not
ch as accede to the Treaty of Hanover till near a Year
was made; and the French who had the moſt to fear
an Alliance between the Emperor and Spain, put
ſelves to little or no Expence, nor gave us any Aſſiſtance
we were openly attacked by Spain, on account of
ve did for preventing the Danger they lay expoſed to.
ras. we took 12,000 Heſſians immediately into our
granted Subſidies to the King of Sweden, the King of
ark, the Duke of Wolfembuttle; and what was moſt
rdinary, the Subſidy to the Duke of Wolfembuttle
ot granted till half a Year after we had made up Mat-
ith the Emperor, and the Heſſian Troops were conti-
n our Pay for ſeveral Years after.
muſt therefore conclude, Sir, that all the extraordinary
ce we put ourſelves to on account of, or conſequent to
Treaty of Hanover, could proceed from nothing but
gn to prevent our paying off any conſiderable Part of
ebts, or aboliſhing any of our Taxes; and the aboliſh-
the Salt-Duty in the Year 1730, in order to diminiſh
nking-Fund, and reviving it again in the Year 1732,
ſe of the Land-Tax, is a farther Proof of this Deſign.
it would be tedious to mention all the Arguments that
be brought in Proof of this Deſign, and as I have
up too much of your Time already, I ſhall trouble

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which, I'm afraid, will never be again, we muſt, I think, conclude, that the Miniſter who defeated it could have no Deſign that our Debts ſhould ever be paid, or our Taxes diminiſhed.

' Before I have done, Sir, with this Miniſter's Conduct, I muſt take Notice of one thing which has been too often practiſed under all Miniſters, and that is, the letting of public Securities ſtand out, without any Fund for their Payment, till they run to a great Diſcount, when they are bought up by the Miniſter's Friends and Tools, perhaps in Truſt for himſelf, and then a Fund is provided for paying them off at the full Price. This, I ſay, has been too often practiſed under all Miniſters, when they could have any Opportunity of it, and this has not been left unpractiſed under this Miniſter. We all know what a prodigious Sum that Debt due to the Army, and to foreign States, were at laſt brought to, which continued for ſeveral Years to circulate under the Name of Army Debentures, at an Intereſt of *four per Cent*, without any Fund for paying off the Principal. Moſt of thoſe Debentures that were certified before the 21ſt of March 1719, were ſubſcribed into the South Sea Company, but of them there remained unſubſcribed near 400,000l. and after the 21ſt of March 1719, new Army Debentures were made out for Debts not before certified for near 550,000l. ſo that for ſome Time before the Year 1727, there was near a Million circulating in Army Debentures at *four per Cent*, without any certain Fund for paying the Principal: for as the Sinking-Fund had been appropriated to the Payment of Debts contracted before the Year 1716, ſome People doubted if it could be applied to the Payment of theſe Debentures; and as there was always a great Number of them at Market, they came at laſt to be ſold at above 30l. *per Cent.* Diſcount. But towards the latter End of the Year 1726, all that could be got at any Diſcount were bought up, and a certain Shop in this City was particularly noted for the purchaſing ſuch Debentures. At laſt, upon the 7th of March 1726, a Reſolution was come to in this Houſe, to pay off all thoſe Army Debentures, of which public Notice was given, and by an Act of the ſame Seſſion, the Sinking-Fund was appropriated to the paying off all theſe Debentures at their full Price, by which the laſt Purchaſers got in a few Months above 30 *per Cent.* clear Profit.

' Whether the Miniſter himſelf was perſonally concerned in this Jobb, I ſhall not pretend, Sir, to determine, but ſome of his Friends were known to be concerned in it; and whether he was concerned or no, is, I am ſure, a Queſtion that can never be determined as long as he has the ſole Direction

of

of all our public Affairs. If he was perſonally concerned, or even if he gave private Notice to his Friend, it was certainly highly criminal; but as a Proof of ſuch Facts cannot be expected whilſt he is in Power, and as upon this Motion we have no Occaſion for alledging ſuch particular Crimes againſt him, much leſs for proving them, I ſhall not mention any more of them, tho' there are others, of much the ſame Nature, of which he has been ſuſpected. I ſay, Sir, we have no Occaſion for alledging or proving any ſuch Crimes for ſupporting this Motion; and I muſt ſay, I am greatly ſurprized to hear, that ſome Gentlemen who, I believe, mean well, eſpecially an honourable Gentleman who ſpoke ſome time ſince, ſhould be able to diſtinguiſh between a Motion for impeaching a Miniſter, and a Motion for removing him from the King's Councils. A Motion for an Impeachment muſt be ſupported by ſome particular Allegations of a criminal Nature, and by ſome Sort of Proof of thoſe Allegations, before this Houſe can agree to it; but a Motion for removing him is ſufficiently founded, if from the whole Tenor of his Conduct it appears in general, that he muſt either have bad Deſigns or muſt be a very weak Man. I have explained this Miniſter's Plan of Politics with regard both to foreign and domeſtic Affairs: I have ſhewn, I think, ſuch ſtrong Preſumptions of this being his Plan of Politics, that we muſt conclude him a very wicked, or a very weak Miniſter. Let us conſider, Sir, what we have to do next Summer: We are to have a general Election for a new Parliament: We are to form Alliances, and concert Meaſures for preſerving a Balance of Power in Europe, otherwiſe it will be irrecoverably loſt. Can we expect a fair or free Election, whilſt we have a Miniſter at the Helm, who has laid it down as a Maxim, to govern by the ſole Means of Bribery and Corruption? Can we expect that any of the Powers of Europe will enter into any Alliance or Concert with us, whilſt our Affairs are under the ſole Direction of a Miniſter who has ſhewn himſelf ſuch a Slave to France?

What a Danger then, Sir, muſt the Liberties of this Nation be expoſed to? What a Danger muſt the Liberties of Europe be expoſed to, by continuing this Miniſter but for one Year longer in Power? If the Honourable Gentleman would conſider this, Sir, I am ſure, he would not talk of returning him Good for Evil, or of doing this Miniſter and his Family that Juſtice which he denied to his. To vote for continuing a Man in a Poſt which he has ſhewn himſelf to be very unfit for, is doing him neither Good nor Juſtice: It is like putting a Sword into the Hands of a Madman or Ruffian; and to continue him in the ſole Direc-

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tion of our public Affairs, at ſuch a critical Conjuncture, is doing the greateſt Evil, the greateſt Injuſtice to our Country. Therefore, I hope, every Gentleman who, from this Miniſter's former Conduct, and from the preſent melancholy Situation of Affairs, both Abroad and at Home, thinks he has Reaſon to ſuſpect his being either a very wicked, or a very weak Miniſter, will give his Affirmative to the preſent Queſtion.

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

'I confeſs, I am at a Loſs what to ſay, or how to juſtify myſelf on this Occaſion. I had often heard, that ſome ſuch Motion was deſigned againſt me; but I was always at a Loſs to conjecture what the Honourable Gentlemen might have to ſay in ſupport of their Motion. My own Innocence convinced me, they had no real Crime, nor any wilful Neglect to lay to my Charge; and I therefore ſuppoſed, they had heard ſome malicious Stories, which they had given too much Credit to, and which I might eaſily ſhew the Falſhood of, when I came to hear them explained. But now I have heard the whole Charge againſt me, I do not think there is any one Part of it, except one ſingle Fact, which is not a Charge, not only againſt his Majeſty and all thoſe of his Council, but alſo againſt both Houſes of Parliament, as well as againſt me. If I were to anſwer for myſelf alone, I ſhould think my Taſk very eaſy; but as I am to anſwer for King, Lords and Commons, it gives me great Pain, leſt their Cauſe ſhould ſuffer thro' any Incapacity in me: Yet dangerous and painful as the Taſk is, I muſt undertake it, and ſhall be as conciſe as the Nature of the Caſe will admit of.

'I have, indeed, this Advantage, Sir, that all the Objections now made to the Conduct of the Adminiſtration, have been already anſwered to the Satisfaction of a Majority of both Houſes of Parliament, and, I believe, to the Satisfaction of a Majority of the better ſort of People in the Nation; therefore, I need only repeat a few of thoſe Anſwers that have been made already, which I ſhall do in the Order of Time in which the ſeveral Tranſactions happened, and conſequently muſt begin with our refuſing to accept of the ſole Mediation offered us by Spain, upon the Breach between that Court and the Court of France, about the latter's breaking off the intended Marriage between their King and the Infanta of Spain. I hope it will not be ſaid, we had any Reaſon to quarrel with France upon that Account; and therefore, if our accepting of that Mediation might have occaſioned

occaſioned our quarrelling with France, we had no Buſineſs with it, unleſs we had ſomething very beneficial for ourſelves to expect by the Acceptance. A Reconciliation between the Courts of Vienna and Madrid was, it is true, what was to be wiſhed-for by all Europe, as well as by us, provided it had been brought about without any Deſign to diſturb our Tranquillity, or the Tranquillity of Europe; but both Parties were then ſo high in their Demands, that we could hope for no Succeſs; and if the Negotiation had ended without Effect, we might have expected the common Fate of Arbitrators, the diſobliging of both Parties. Therefore, as it was our Intereſt to keep well with both, I muſt ſtill think it was the moſt prudent Part we could act, to refuſe the Mediation offered. Anno 14. Geo. II. 1740.

'The next Step of our foreign Conduct found fault with, is the Treaty of Hanover. Sir, if I were to give the true Hiſtory of that Treaty, which no Gentleman can deſire I ſhould, I am ſure, I could fully juſtify my own Conduct; but as I do not deſire to juſtify my own, without juſtifying at the ſame time his late Majeſty's Conduct, I muſt obſerve, that his late Majeſty had ſuch Information, as convinced not only him, but all thoſe of his Council, both at Home and Abroad, that ſome dangerous Deſigns had been formed between the Emperor and Spain, at the Time of their concluding the Treaty at Vienna in May 1725. Deſigns, Sir, which were dangerous not only to the Liberties of this Nation, but to the Liberties of Europe. They were not only to wreſt Gibraltar and Portmahone from this Nation, and to force the Pretender upon us, but they were to have Don Carlos married to the Emperor's eldeſt Daughter, who would thereby have had a Probability of uniting in his Perſon, or in the Perſon of ſome of his Succeſſors, the Crowns of France and Spain with the Imperial Dignity, and the Auſtrian Dominions. It was therefore highly reaſonable, both in France and us, to take the Alarm at ſuch Deſigns, and to think betimes of preventing their being carried into Execution. But with regard to us, it was more particularly our Buſineſs to take the Alarm, becauſe we were to have been immediately attacked.

'I ſhall grant, Sir, it would have been very difficult, if not impoſſible, for Spain and the Emperor, joined together, to have invaded, or made themſelves Maſters of any of his Majeſty's Britiſh Dominions; but will it be ſaid, they might not have invaded his Majeſty's Dominions in Germany, in order to force him to a Compliance with what they deſired of him, as King of Great Britain? And if thoſe Dominions had been invaded on account of a Quarrel with this

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Nation, ſhould not we have been obliged, both in Honour and Intereſt, to defend them? When we were thus threatened, it was therefore abſolutely neceſſary for us to make an Alliance with France; and that we might not truſt too much to their Aſſiſtance, it was likewiſe neceſſary to form Alliances with the Northern Powers, and with ſome of the Princes in Germany, which we never did, nor ever could do, without granting them immediate Subſidies. Theſe Meaſures were therefore, I ſtill think, not only prudent but neceſſary, and by theſe Meaſures we made it much more dangerous for the Emperor and Spain to attack us, than it would otherwiſe have been.

'But ſtill, Sir, tho' by theſe Alliances we put ourſelves upon an equal Footing with our Enemies, in caſe of an Attack, yet, in order to preſerve the Tranquillity of Europe, as well as our own, there was ſomething elſe to be done. We knew that War could not be begun or carried on without Money; we knew that the Emperor had no Money for that Purpoſe, without receiving large Remittances from Spain; and we knew that Spain could ſend him no ſuch Remittances without receiving large Returns of Treaſure from the Weſt-Indies. The only way therefore to render theſe two Powers incapable of diſturbing the Tranquillity of Europe was, by ſending a Squadron to the Weſt-Indies to ſtop the Return of the Spaniſh Galleons; and this made it neceſſary at the ſame Time to ſend a Squadron to the Mediterranean, for the Security of our valuable Poſſeſſions in that Part of the World. By theſe Meaſures the Emperor ſaw it was impoſſible for him to attack us in any Part of the World, becauſe Spain could give him no Aſſiſtance either in Money or Troops; and as for the Spaniards Attack upon Gibraltar, it was ſo vain, we had no Occaſion to call upon our Allies for Aſſiſtance: A ſmall Squadron of our own prevented their attacking it by Sea, and from their Attack at Land we had nothing to fear; they might have knocked their Brains out againſt inacceſſible Rocks, to this very Day, without bringing that Fortreſs into any Danger.

'I do not pretend, Sir, to be a great Maſter of foreign Affairs: In that Poſt in which I have the Honour to ſerve his Majeſty, it is not my Buſineſs to meddle with them; and as one of his Majeſty's Council I have but one Voice; but if I had been the ſole Adviſer of the Treaty of Hanover, and all the Meaſures that were taken in Purſuance of it, from what I have ſaid, I hope it will appear, that I do not deſerve to be cenſured, either as a weak or a wicked Miniſter on that Account; and now with regard to the Guaranty of the Pragmatic Sanction, I am really ſurpriſed to find that Meaſure

g that Expence, we had expoſed the Balance of Power to nger, or ourſelves to an Attack, it would have coſt us, rhaps, a hundred Times the Sum, before we could recover om that Danger, or repel that Attack.

" In all ſuch Caſes there will be a Variety of Opinions. happened to be one of thoſe who thought all thoſe Exences neceſſary, and I had the good Luck to have the Maity of both Houſes of Parliament on my Side of the Queſon; but this, it ſeems, proceeded from Bribery and Corption. Sir, if any one Inſtance had been mentioned; if had been ſhewn, that I ever offered a Reward to any ember of either Houſe, or ever threatned to deprive any ember of his Office or Employment, in order to influence s voting in Parliament, there might have been ſome round for this Charge; but when it is ſo generally laid, I not know what I can ſay to it, unleſs it be to deny it as merally and as poſitively as it has been aſſerted; and, ank God! till ſome Proof be offered, I have the Laws of e Land, as well as the Laws of Charity in my Favour. ome Members of both Houſes have, 'tis true, been re oved from their Employments under the Crown; but were ey ever told, either by me, or any other of his Majeſty's ervants, that it was for oppoſing the Meaſures of the Adiniſtration in Parliament? They were removed, becauſe is Majeſty did not think fit to continue them longer in his ervice. His Majeſty had a Right to do ſo, and I know no ne that has a Right to aſk him, What doſt thou? If his Majeſty had a Mind that the Favours of the Crown ſhould circulate, would not this of itſelf be a good Reaſon for reoving any of his Servants? Would not this Reaſon be approved of by the whole Nation, except thoſe who happen to e the preſent Poſſeſſors? I cannot therefore ſee, how this an be imputed to me as a Crime, or how any of the King's Miniſters can be blamed for his doing what the Public has o Concern in; for if the Public be well and faithfully erved, it has no Buſineſs to aſk by whom.

" Upon the Whole, Sir, it is a great Comfort to me to ld, that my Enemies, after all their Boaſting, can lay no rticular Crime to my Door, nor charge me with any one ſmaſaction, at Home or Abroad, that has not had the Approbation of Parliament. And whatever People may think f the Wiſdom of the Adminiſtration, for I am ſure I ſhall ot deſire them to think well of mine, their Conduct will eak for itſelf. Our Tranquillity has been preſerved both broad and at Home, notwithſtanding a moſt unreaſonable nd violent Oppoſition to all their Meaſures: The true Inreſt of the Nation has been purſued: Our Trade has been

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riſhed: A Part of our Debt has been paid off; and the landed Intereſt has been very much eaſed, with reſpect to that moſt unequal and grievous Burden, the Land-Tax. I ſay ſo, Sir, becauſe upon Examination it will appear, that within theſe *ſixteen* or *ſeventeen* Years, no leſs than 8,000,000 of our Debt has been actually diſcharged, by the due Application of the Sinking-Fund, and at leaſt 7,000,000 has been taken from that Fund, and applied to the Eaſe of the Land Tax; for if it had not been applied to the current Service, we muſt have ſupplied that Service by increaſing the Land-Tax; and as the Sinking-Fund was originally deſigned for paying off our Debts, and eaſing us of our Taxes, the applying it in Eaſe of the Land-Tax, was certainly as proper and as neceſſary an Uſe as it could be applied to.

'But, Sir, I had almoſt forgot one Fact, which ſeems to be a particular Crime charged againſt me, I mean that relating to Army-Debentures. I am ſurprized, Sir, to hear any thing relating to this Affair charged upon me: Whatever Blame there may be in this Affair, it ought to be placed to the Account of thoſe that were in Power, when I was, as they call it, the Country Gentleman: It was by them this Affair was ſet on Foot and conducted, and I came in only to pay off thoſe public Securities, which their Management had brought to a great Diſcount, and conſequently to redeem our public Credit from that Reproach, which they had brought upon it. Theſe Army-Debentures being at a great Diſcount, was a ſtrong Reaſon, and the Reaſon that prevailed with the Parliament, to apply the Sinking Fund firſt to the paying off thoſe Debentures, but they could not apply the Sinking Fund to that Purpoſe, till it began to produce ſomething conſiderable, which was not till the Year 1727. That the Sinking Fund was then to receive a great Addition, was a Fact publicly known in the Year 1726; and if ſome People were quick-ſighted enough to foreſee, that the Parliament would probably make this Uſe of it, and cunning enough to make the moſt of their own Foreſight, could I help it, or could they be blamed for doing ſo? But I defy my moſt inveterate Enemy to prove, that I had any Hand in bringing theſe Debentures to a Diſcount, or that I had any Share in the Profits made by buying them up.

'To conclude, Sir, tho' I ſhall always be proud of the Honour of any Truſt or Confidence from his Majeſty, yet I ſhall always be ready to remove from his Councils and Preſence, when he thinks fit I ſhould do ſo; and therefore I ſhould think myſelf very little concerned in the Event of the preſent Queſtion, if it were not for the Incroachment that

that will thereby be made upon the Prerogatives of the Crown. But I muſt think, that an Addreſs to his Majeſty to remove one of his Servants, without ſo much as alledging any particular Crime againſt him, is one of the greateſt Encroachments that was ever made upon the Prerogatives of the Crown; and therefore, for the ſake of my Maſter, without any Regard to my own, I hope all thoſe that have a due Regard for our Conſtitution, and for the Rights and Prerogatives of the Crown, without which our Conſtitution cannot be preſerved, will be againſt this Motion.' Anno 14, Geo II. 1740.

The whole Debate continued from eleven o'Clock in the Afternoon till paſt three the next Morning, before which Time above ſixty, ſuppoſed to be of the Minority, left the Houſe: So that on the Diviſion, the Motion was carried in the Negative, Ayes 106, Noes 290.

The 16th. Agreed to the Report of the Bill to explain and amend an Act 3d King James I. for the Recovery of ſmall Debts, and for the Relieving of poor Debtors in London. Ordered it to be engroſſed.

Read a firſt time the Mutiny and Deſertion-Bill.

Read a third time, and paſſed the Bill for licenſing the Importation of Victual from Ireland, &c. into Scotland in Time of Scarcity. Ordered it to the Lords.

The 17th. Read a ſecond time the Mutiny and Deſertion-Bill.

Read a ſecond time the Weſtminſter-Bridge-Bill.

Agreed to the Report of Yeſterday's Reſolution on Ways and Means; viz. Reſolved, that the Duties on Salt, and alſo on Red and White Herrings delivered out for Home Conſumption, which by an Act 8th King George II. were continued to the 25th of March 1746, be further continued to the 25th of March 1753. Ordered in a Bill accordingly.

Then proceeded to the further Hearing of the Matter of the Petition of John, Dodd Eſq; complaining of an undue Election and Return for the Borough of Reading in the County of Berks. And the Counſel were called in; and ſeveral Witneſſes examined in behalf of William Strode, Eſq; ſitting Member; and having finiſhed their Evicence, the Counſel on both ſides were directed to withdraw. And a Motion being made and the Queſtion put, that William Strode, Eſq; is duly elected a Burgeſs to ſerve in this preſent Parliament, or the Borough of Reading in the County of Berks; it paſſed in the Negative, Ayes 133, Noes 141. Reſolved, that John Dodd, Eſq; is duly Elected, &c. Reading Election decided.

The 18th. Read a third Time and paſſed the Bill to explain and amend an Act 3d King James I. for the Recover-

Anno 14, Geo. II. 1740.

ing of ſmall Debts, and for the Relieving of poor Debtors in London. Ordered it to the Lords.

Read a firſt time, a Bill for granting and continuing the Duties upon Salt, and upon Red and White Herrings for a further Term.

Read a firſt time a Bill to indemnify Proteſtant Purchaſers of Eſtates of Papiſts, againſt the Penalties or Forfeitures Papiſts are liable to, for not having enrolled their Eſtates, in purſuance of an Act 3d King George I.

In a grand Committee made ſome Progreſs on the Bill to prevent Inconveniences ariſing by Delays of Cauſes after Iſſue joined; and to proceed on the 24th Inſtant.

The 19th. Read a ſecond Time the Bill for continuing the Duties upon Salt, and on Red and White Herrings for a further Term.

Read a firſt time a Bill to explain and amend ſo much of an Act 6th King George I. *for better ſecuring certain Powers and Privileges intended to be granted by his Majeſty, by two Charters for Aſſurance of Ships and Merchandizes at Sea, and for lending Money upon Bottomry, and for reſtraining ſeveral extravagant and unwarrantable Practices therein mentioned*, as relates to the extravagant and unwarrantable Practices therein mentioned.

In a grand Committee, went thro' the Bill to indemnify Perſons who have omitted to take the Oaths, &c. with ſeveral Amendments.

Read a ſecond time the Bill for opening a Trade to and from Perſia through Ruſſia.

The 20th. Agreed to the Report of the Oath-Bill; ordered it to be ingroſſed.

In a grand Committee took into Conſideration the ſeveral Petitions preſented to the Houſe on the Decay of the Woollen Manufactures; and Mr. Webber was called in and examined concerning his Scheme for a univerſal Regiſtry of Wool; to proceed on the 25th Inſtant.

The 22d. Received Petitions from the Counties of Eſſex and Glouceſter, repreſenting to the Houſe, That ſhould the Bill for opening a Trade to and from Perſia through Ruſſia paſs into a Law, it will greatly diſcourage the Manufacture of Cloth in this Kingdom; and therefore praying that the Bill may not paſs into a Law, unleſs Proviſion be made therein, to oblige the Traders to Perſia through Ruſſia to export in Woollen Cloths to the amount of the Value of the Raw-Silk, and other the Perſian Commodities they ſhall import from Ruſſia: Referred to the Committee of the whole Houſe.

Ordered, That Mr. Nettleton, Mr. Dingley, and Mr. Gramotte,

Gramotte, Ruſſia Merchants, do attend the ſaid Committee on the 26th Inſtant. Anno 14, Geo II. 1740.

Read a ſecond time, a Bill for the Encouragement of Seamen, and for the better and ſpeedier Manning his Majeſty's Fleet.

Reſumed the adjourned Conſideration of the Report of the Bill for the Recovery of Small Debts, and ordered it to be ingroſſed.

The 24th. Read a third time, and paſſed the Bill for indemnifying Perſons who have omitted to qualify themſelves for Offices and Employments, within the time limited by Law, and for allowing a farther time for that purpoſe: Ordered it to the Lords.

Read a ſecond time, a Bill to indemnify Proteſtant Purchaſers of Eſtates of Papiſts, &c.

In a Committee, went thro' the Bill to prevent Inconveniencies ariſing by Delays of Cauſes after Iſſue joined, with ſeveral Amendments.

In a Committee on the Bill for puniſhing Mutiny and Deſertion, a Debate aroſe as follows: Debate on the quartering of Soldiers.

Sir William Yonge.

SIR,

'One of the greateſt Perfections the Laws of any Country can be attended with, is, to be ſo plain, preciſe, and expreſs in all their Clauſes, as not to admit of any Doubt, Uncertainty or double Meaning. This is a Rule, which ought to be obſerved, as far as is conſiſtent with human Weakneſs, in the forming of every new Law; and in no ſort of Laws is it more neceſſary, than in thoſe that are made for regulating the Behaviour of the Civil and Military Power towards one another; for nothing contributes more towards making the Army and the People live eaſily together, than to have their reſpective Rights and Privileges fully and clearly determined, ſo as that every Soldier may know the utmoſt he can expect, and that his Landlord, or any other Perſon he has to do with, may know what is due to him. Sir William Yonge.

'This being the Caſe, Sir, as you are now upon that Bill for regulating the Army and their Quarters, which paſſes yearly, in this Kingdom, and as a Doubt has ariſen upon ſome Clauſes inſerted in all former Acts of the ſame nature, the Duty of my Office makes it incumbent on me to acquaint you with that Doubt, and to propoſe a Method for obviating it for the future. In all former Mutiny-Bills, at leaſt in all that have been of late Years paſſed into Laws, it has been enacted, "That the Officers and Soldiers quartered as directed by the Act, ſhall be received by the Owners

Anno 14, Geo II. 1740.

of the Inns, and other Houſes in which they are ſo quartered; and ſhall pay ſuch reaſonable Prices as ſhall from Time to time be appointed by the Juſtices of the Peace, who are thereby empowered to appoint ſuch reaſonable Rates for all neceſſary Proviſions for Officers and Soldiers, for one or more Nights, in all Places which they ſhall come to in their March, or which ſhall be appointed for their Reſidence and Quarters." And by another Clauſe in the ſaid Bills it has been enacted, "That the Officers, when they receive the Pay of any Regiment, Troop, or Company, ſhall give public Notice thereof to all the Inns, and other Places where the Officers and Soldiers are quartered, that they may bring in their Accounts; which Accounts the Officer or Officers receiving the Pay, are required to accept of, and immediately pay the ſame, before the Subſiſtence or Pay ſhall be diſtributed, either to Officers or Soldiers, provided the ſaid Accounts exceed not the ſeveral Rates therein mentioned and aſcertained."

'From theſe Clauſes, Sir, it has been, till very lately, thought, that the Owners of Inns, and other Places where Soldiers are allowed to be quartered, were obliged to furniſh the Soldiers with Diet and ſmall Beer for themſelves, and with Hay and Straw for their Horſes, if demanded; and the Owners of Inns and other ſuch Places have, till of late, generally done ſo, without charging more for it in their Accounts, than the Paymaſter was by Act of Parliament required and limited to pay: But of late Years a different way of Thinking has begun to prevail; and the Owners of Inns and other Places have begun to refuſe to furniſh the Soldiers with Diet or Small Beer for themſelves, or with Hay and Straw for their Horſes, at the Rates allowed by the Government, pretending, that by the Words of the Act, they are not obliged to furniſh Soldiers with any of theſe Neceſſaries, unleſs they approve of the Prices allowed by the Government, or appointed by the Juſtices of Peace.

'One of the firſt Diſputes, Sir, of this kind happened but laſt Year at Wakefield, where the Price of Hay had, during the hard Froſt, riſen to an exceſſive Height: Upon this, the Juſtices of Peace in that Diviſion took the Caſe into their Conſideration, and appointed the Rate for Hay for a Horſe to be 8d. per Diem. As this was 2d. per Diem above what was allowed by Act of Parliament, the Dragoons ſcrupled paying it, and the Officers ſent a Letter to me on the Subject: This Letter I laid before the Attorney-General, and after he had conſidered the Caſe, his Opinion was, that the Juſtices of Peace had exceeded the Powers given them by Act of Parliament; that they were to appoint the Rates of neceſſary

roviſions for the Soldiers and their Horſes, but not ſo exceed the Allowance given by the Government, and ſtly limited by the very Act itſelf; and that the Own- Inns, and other Houſes where Soldiers are appointed w to be quartered, were obliged to furniſh them with ary Proviſions for themſelves and Horſes, at a lower than what was allowed by Law, if the Juſtices ſhould t it to be ſo, but that neither they could require, nor ſtices appoint any higher Rates to be paid; and I muſt is moſt reaſonable it ſhould be ſo; for a Soldier has at mes one certain uniform Pay from the Government; ages do not riſe and fall as other Peoples do, according Price of Proviſions, or the Demand for Workmen; y is always the ſame, and the Allowance appointed w is the higheſt that Pay will admit of: He muſt be rted, and therefore, in Times of Scarcity, you muſt augment the Pay of your Soldiers, or you muſt o- thoſe, where they are quartered, to furniſh them with ary Proviſions at thoſe Rates, which their Pay will of.

Anno 14, Geo. II. 1740.

But I muſt take notice, Sir, that, before this Diſpute ened, there had been one of much the ſame nature at ry: There, the Owners of Inns, Alehouſes, and the even refuſed the Soldiers the Uſe of their Fires or U- to dreſs their Victuals: They would allow them no Beer to drink, nor ſo much as Salt to their Pottage. ldier upon a March cannot carry a Kitchen, a Sack of , and a Cag of Small Beer upon his Back; they muſt owed ſuch Things at the Places where they are quar- ; they thought they had a Right to inſiſt upon having ; and this had like to have bred a Tumult betwixt the ers and Townſmen. This Caſe was laid before the Attorney-General, now Lord Chief Juſtice Willes, and Opinion was, That the Owners of the Houſes, where oldiers were quartered, were obliged to allow them and Small Beer at the Government's Allowance, or at a cheaper Rate, if the Juſtices of Peace ſhould order be ſo.

I do not myſelf, Sir, pretend to any great Knowledge e Law, or to the Art of putting the proper Meaning the Words of an Act of Parliament; but upon theſe Opinions, I think, I cannot be accuſed of paſſing a raſh ment, if I ſay, that Soldiers have, by the Laws of this dom, a Right to inſiſt upon Diet and Small Beer for ſelves, and Hay and Straw for their Horſes, from the rs of the Inns or Houſes where they are quartered; ndeed, to me the Senſe of the Acts of Parliament made

Anno 14, Geo. II. 1740.

made for this Purpoſe, ſeems as clear as Words can make it. However, there are many Lawyers, it ſeems, eſpecially in the Country, who think otherwiſe; and the People, depending upon their Opinion, have now, in many Places, begun to refuſe Diet and Small Beer to the Soldiers quartered in their Houſes. I do not know but they may ſoon begin to refuſe a Soldier a Bed. They have, I think, as good a Right to refuſe the one as the other; for the Law ſays only, they ſhall receive the Soldiers quartered upon them: It does not ſay, they ſhall furniſh them with Beds, no more than it ſays, they ſhall furniſh them with Diet and Small Beer. Till now it has always been ſuppoſed, that by receiving was meant, to furniſh the Soldier with ſuch a Bed as he could lie on, and with neceſſary Proviſions at ſuch a Price as he could pay. But a different Interpretation is now put upon this Word; and as the Doctors of the Law thus differ among themſelves, the Juſtices of the Peace do not know how to behave. If you do not put an End to the Diſpute, by adding a few explanatory Words to the Law, which you are now to revive, a Law Suit muſt, and is to be begun by Information, for terminating this Diſpute.

'This, Sir, will be attended with a great Expence to the Public, as well as to the Perſons that are to be ſued, which, I think, you ought to prevent, now you have ſo fair an Opportunity. But what is much worſe than the Expence attending a Law Suit, if, upon the Event of a Law Suit, it ſhould be found, that the Owners of Houſes where Soldiers are quartered, are not by Law obliged to furniſh them with Diet and Small Beer at the Government's Allowance, or with any thing elſe beſides Houſe-room, the Country People, who naturally do not much like Soldiers, will take all the Advantage they can of what is declared to be Law, and this may occaſion a general Mutiny in your Army; for on the other hand, the Soldiers, Men who have got Arms in their Hands, and who have been taught how to uſe them, won't like to give up a Right, they think, they have a juſt Title to, and a Right which they have enjoyed for at leaſt threeſcore Years without Interruption.

'For preventing theſe Dangers, Sir, I have drawn up a Clauſe, as I thought I was, by the Duty of my Office, obliged to do, which I ſhall beg leave to lay before you. What I propoſe is, that inſtead of the uſual Clauſe for obliging the Inn-keepers and others to receive the Soldiers billeted upon them, you ſhould inſert a Claute as follows: "Provided nevertheleſs, and it is hereby enacted, that the Officers and Soldiers ſo quartered and billetted as aforeſaid, ſhall be received, *and furniſhed with Diet and Small-Beer*, by

the Owners of the Inns, Livery-Stables, Alehouſes, Vic- Anno 14, Geo.
lling-Houſes, and other Houſes, in which they are al- II. 1740.
wed to be quartered and billeted by this Act; *paying and bearing for the ſame the ſeveral Rates herein after mentioned, to be payable out of the Subſiſtence-Money for Diet and Small-Beer.*"

Mr. Sandys.

SIR,

' It is an unfortunate State we are fallen into, that every Sam. Sandys, Eſq;
ſion of Parliament muſt be attended with new Laws, or
w Clauſes in old Laws, for oppreſſing the induſtrious Sub-
ſ, and endangering the Liberties of the Country. It is im-
ſible to levy high Duties upon the Neceſſaries or Conve-
nces of Life, it is impoſſible to keep up numerous Standing-
mies, without ſuch Laws or ſuch Clauſes; and yet we
ve, for twenty Years, been contriving how to continue and
creaſe both. The high Duties we groan under, were in-
duced for ſupporting a heavy and expenſive but neceſſa-
' War; but how the keeping up of a numerous Standing-
my in Time of Peace, was introduced, I can no other way
count for, than by ſuppoſing, that it was neceſſary for ſup-
rting unpopular, deſtructive Meaſures, and a hated Mini-
r. I am ſurprized to hear the forcible Quartering of Sol-
iers upon public or private Houſes inſiſted on, as if it were
neceſſary Mean for the Support of our Government. Sir,
we were to attend ſtrictly to our Conſtitution, even as it
nds at preſent, we ought, in no Mutiny-Bill, to admit of
e Quartering of Soldiers, even on Public Houſes, except
r a few Nights, in their March from one Garriſon to ano-
ter, or for the firſt Night after they arrive at the Place de-
gned for their Reſidence. Tho' we now keep up, tho' we
ve long kept up a great Number of Standing-Forces in
Time of Peace, yet, properly ſpeaking, they are no more
an is ſuppoſed to be neceſſary for Guards and Garriſons;
nd accordingly the Reſolution annually agreed to in this
Houſe is, " That the Number of effective Men to be pro-
vided for Guards and Garriſons in Great Britain, for the en-
ſing Year, ſhall be ſuch a Number as is then thought neceſ-
ary." Before the Revolution we had Guards and Garriſons,
even in Time of Peace; but before the Revolution, nor for
ome Years after, we had no Quartering of Soldiers, either
pon public or private Houſes, in Time of Peace, without
the Conſent of the Owner. On the contrary, by an expreſs
Law, the latter End of King Charles IId's Reign, it was
enacted, " That no Officer, military or civil, or other
erſon, ſhall quarter or billet any Soldier upon any Inhabi-

tant

Anno 14, Geo II 1740.

tant of this Realm, without his Conſent;" which Law ſtood in force till near the End of the Year 1692, when the firſt Law was made for quartering Soldiers in Public-Houſes.

'Before that Year, Sir, our Guards and Garriſons, by which, I mean all the Soldiers we had on Foot, even in their marching from one Place to another, were obliged to quarter theſelves as other Travellers do, in Houſes that were willing to receive them; and when they came to any Garriſon or Place were they were to reſide, every Officer and Soldier provided Quarters for himſelf; In which, I believe, there was no Inconvenience found; for when Soldiers behave civilly, and are agreeable to the People, there will always be Houſes enough, either public or private, that will be glad to receive them for what they are able to pay, unleſs there be a greater Number of them than the Place can conveniently accommodate. From the Revolution to the Year 1692, we had a ſort of Civil War amongſt ourſelves, for Ireland was not entirely reduc'd till the End of the Year 91; and as *inter arma ſilent leges*, perhaps, during that Time, ſome Liberties were taken with the Laws, in reſpect to Quartering or Billeting of Soldiers. But in the Year 92, the domeſtic Tranquility of the three Kingdoms being re eſtabliſh'd, the Parliament began to think of reſtoring the Laws to their priſtine Force. However, as we were then engaged in a dangerous foreign War, and upon that Account obliged to keep a greater Number of Troops than uſual; and as our Troops were often obliged to march in great Bodies, either from one Place of the Kingdom to another, as Danger threatned, or through the Kingdom in their way to Flanders, the Parliament ſaw it would be neceſſary to provide Quarters for them upon their March, in a different Manner from what had before been allowed by Law; and therefore in the Mutiny-Bill for the enſuing Year, which then firſt began to be entitled, A Bill for puniſhing Officers and Soldiers who ſhall mutiny or deſert their Majeſties Service, and for puniſhing falſe Muſters, and for the Payment of Quarters, the Clauſe for quartering Soldiers in Public-Houſes, without Conſent of the Owner, was introduced, and has ever ſince remained in all the Mutiny-Bills paſſed, to this very Day; for a favourite Power once granted to the Crown, is ſeldom recovered by the Subject, without ſome remarkable Revolutions in our Govenment.

'But by this Clauſe, as the Act then ſtood, it was not intended, that Soldiers ſhould be quarter'd or billeted in the Places appointed for their Reſidence, even indeed upon Public-Houſes, without the Conſent of the Owner. At leaſt it was not intended, they ſhould be ſo quarter'd for any longer than

than the firſt Night after their Arrival. That this was the intention of the Act, is, I think, plain, from the next Clauſe of the Act, whereby it is enacted, " That Officers and Soldiers billetted, as directed by the preceding Clauſe, ſhall pay ſuch reaſonable Prices as ſhall be appointed by the Juſtices of Peace in their Quarter Seſſions; and the Juſtices are thereby required to ſet Rates for Proviſions, for one or more Nights in their Marching, and the firſt Night only in Places appointed for their Reſidence. Anno 14, Geo II. 1740.

' This, I think, Sir, plainly ſhews, that, in Places appointed for the Reſidence of Soldiers for any Time, neither Officer nor Soldier was to be quarter'd for more than the firſt Night, upon any Houſe, public or private; and the Reaſon is evident, becauſe, being then ſettled, if they could not agree with their Landlords, where they were firſt lodg'd, for a Continuance, they might next Day look out for, and provide new Lodgings or Quarters for themſelves. It was not then intended to give any Soldier, and much leſs an Officer, a Right to lodge in the beſt Room of an Inn or Alehouſe, without paying any Thing for it, and that, perhaps, for a Year, or for ſeveral Years together. Even when they were upon a March, or for the firſt Night after their Arrival at the Place appointed for their Reſidence, they were not to have their Lodging abſolutely free; becauſe the Juſtices were certainly to have a Regard to the Expence and Trouble of lodging them, when they ſettled the Rates they were to pay for Proviſions. The modern Practice of giving every Officer and Soldier a free Lodging in the Houſe where he is quarter'd, whether he ſpends any of his Money there or no, and even in the Place where he is appointed to reſide, as well as when he is upon a March, would then have been rejected with great Contempt, if it had been propoſed; for it is really laying a Tax upon the Subject, without the Conſent of Parliament, at leaſt without any ſuch Conſent obtained in a regular Manner, and according to the uſual Methods of proceeding in Parliament, when the Subjects, or any Part of them, are to be loaded with a new Tax. But, a Foundation being thus laid for obliging our Public-Houſes to give free Lodging to the Soldiers for a few Nights in their March, and for the firſt Night after their Arrival at the Place where they were appointed to reſide, a Pretence was from thence taken to inſiſt, that Soldiers were always to be a Load upon our Public-Houſes, and to be entitled to have always a free Lodging even in the Places appointed for their Reſidence. Perhaps the Words of this firſt Law were left a little doubtful, on purpoſe to draw this Inference from them; but this was not

Anno 4. Geo. II. 1740.

enough; for, in order to give Soldiers a leſs doubtful Title to this free Lodging for ever, the Words of the Law were afterwards alter'd, and the Juſtices were required to ſet and appoint ſuch reaſonable Rules for all neceſſary Proviſions for ſuch Officers and Soldiers, for one or more Nights, in the ſeveral Places which they ſhall come to in their March, or which ſhall be appointed for their Reſidence and Quarters.

'Thus, Sir, you ſee what an encroaching thing an Army is, and I wiſh it did not encroach upon us in any more dangerous Reſpect. This of free-Lodging for Soldiers is now become a continual and ſettled Tax upon the Public-Houſes, in all Places where Soldiers are uſually appointed to reſide. Every ſuch Houſe has generally one Soldier at leaſt quarter'd upon it; and if the Landlord does not give his Gueſt ſuch a Lodging as pleaſes him, he muſt pay him ſuch a Sum weekly as he ſhall demand, for his furniſhing himſelf with a Lodging. Here in Weſtminſter it is by Cuſtom ſettled at 9d. a Week, that, is 39s. *per Annum*, for a common Soldier; and conſequently the Officers, if they ſhould inſiſt on it, might ſurely demand a great deal more. Is not this, Sir, taxing the Subject? Is it not increaſing the Pay of the Soldier, without any proper legal Authority for either? This Tax, Sir, is the more grievous, becauſe of its being raiſed upon Part of the People only; and it is the more dangerous, becauſe a Miniſter may raiſe it in what Places, and in what Proportions he pleaſes, and conſequently may make it a Handle for oppreſſing thoſe Counties, Cities, and Boroughs, that do not ſend him up ſuch Members to this Houſe, as he ſhall pleaſe to direct. But this Handle is not, it ſeems, ſufficient, therefore ſome new Strength muſt be added to it; and for this, a Pretence is taken from ſome Clauſes in our late Mutiny-Acts, which, I think, can admit of no ſuch Meaning. The Inn-keeper, or Victualler, muſt now, it is ſaid, furniſh the Soldiers quarter'd upon him, not only with Lodging, but alſo with Board, both according to the Liking of the Soldier, and yet he is to have no more for both than a Groat a Day. In Times of Plenty, the Soldier will furniſh himſelf, becauſe he can, perhaps, do it at 2d. a Day, but in Times of Scarcity, he will oblige his Landlord to furniſh him, becauſe he cannot do it perhaps under 8d. a Day. Is this juſt, Sir? Is it equitable? Is it poſſible to ſuppoſe that an Act of Parliament ſhould eſtabliſh ſuch Impoſition?

'I do not know, Sir, nor do I much regard, what Opinion the Lawyers may have given; becauſe they generally give their Opinion according as the Caſe is ſtated to them; and

and therefore, when the Caſe is falſely ſtated, their Opinions must be wrong. This ſeems to be the Caſe at preſent. The Queſtion is, not, what an Inn-keeper or Victualler may demand, if he does furniſh the Soldier, quarter'd upon him, with Proviſions; for it is plain he cannot recover more than a Groat a Day; becauſe the Pay maſter can ſtop no more of a Soldier's Pay on that Account; and how the Victualler can otherwiſe recover it, I believe, no Lawyer, or even a Conjurer can tell. The only Queſtion therefore is, whether an Inn-keeper or Victualler be obliged to furniſh the Soldiers quartered upon them with Proviſions; and this, I think, admits of as little Doubt as the other. He certainly is not obliged to do ſo, by any expreſs Words in the Mutiny-Bill paſſed laſt Year. By a Clauſe in that Bill, as well as many former, the Inn-keeper is obliged to receive the Soldiers quarter'd upon him: He muſt let them into his Houſe: He muſt not ſhut his Doors againſt them: But this is all he is obliged to do by that Law: Even his furniſhing them with Beds is by that Law left, as it ſhould be, depending upon his Courteſy; and hitherto it has produced no Diſpute, nor have the Soldiers been left unaccommodated, except in a few very extraordinary Caſes, which can afford no Foundation for any Alteration in the Law. Anno 14, Geo II. 1740.

Both the Inſtances that have been mention'd, are of this Kind. The Diſpute of Wakefield I am far from being ſurprized at; I am ſurprized, Sir, there were not ſuch Diſputes laſt Winter all over the whole Kingdom. It was cruel to oblige Inn-keepers to furniſh Hay and Straw to the Soldiers Horſe, at the Rate of 6d. per diem, when Hay and Straw bore ſuch monſtrous Prices; nay when their own Caſtle were perhaps dying for Want. The Juſtices were in the right to allow 8d. Can it be ſaid, that a Trooper or Dragoon could not afford 8d. for his Horſe at a Time when there was ſuch a Scarcity of all Sorts of Fodder? Why may not a Trooper or Dragoon live upon 4d. as well as a Foot Soldier? Suppoſe he allow'd 8d. for his Horſe, he had 4d. a Day for himſelf; and with that, or with the worſe Fare for himſelf, he ſhould have been content; eſpecially as he knew the Scarcity of Fodder could not be of a very long Continuance.

The Affair at Ledbury too, Sir, was a Caſe of a very extraordinary Nature. The People there did not like at that Time to have any Soldiers among them, or at leaſt not ſo many of them; becauſe they thought themſelves oppreſſed, and knew that the Soldiers were ſent there, to prevent their taking their own Way for freeing themſelves from that Oppreſſion. I do not ſay it was wrong to ſend Soldiers there

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or to ſend ſuch a Number of them; becauſe whether the People were oppreſſed or no, they had taken a very wrong Method to free themſelves from that Oppreſſion. They had choſen a riotous and tumultuous Way of doing it; and a Gentleman in the Neighbourhood, who had acted the Part of a bold and worthy Magiſtrate, had not only been inſulted by the Mob, but was in danger of being murder'd by them. The People in that Neighbourhood had behaved in a moſt riotous and obſtinate Manner upon that Occaſion; but ſurely the Obſtinacy of the People in a particular Corner, and upon a particular Occaſion, is not to be pleaded as a Reaſon for oppreſſing the whole Kingdom.

'The few Diſputes that have happen'd, Sir, in ſuch a long Courſe of Years, between the Soldiers and the People where they are quarter'd is a much ſtronger Reaſon for continuing the Law as it is. The Harmony between the Soldiers and the People may hitherto be ſaid to have been general: But do not let us depend, Sir, upon the Continuance of this Harmony, if we ſhould begin to keep up a greater Number of Troops, or even if we ſhould continue to keep up the ſame Number for many Years to come. The People muſt always ſuffer many Hardſhips by the Quartering of Soldiers, and theſe Hardſhips muſt increaſe or diminiſh in Proportion as we increaſe or diminiſh our Standing-Army. The People have for many Years expected a Diminution of our Army, and conſequently a Diminution of the Hardſhips they ſuffer from thence. They have every Year hoped it would be the laſt, and that the next Year will put an End to moſt of the Hardſhips they ſuffered on Account of our Army. However ſharp ſighted our Miniſters and Parliament-Men have been, in ſecuring thoſe Dangers which have all along been pretended as a Reaſon for keeping up ſuch a numerous Standing Army, the People could perceive none of theſe Dangers, or at leaſt they ſuppoſed, that ſuch tremendous Proſpects would not regularly preſent themſelves to View every ſucceeding Winter, and this confirmed them in their annual Hopes that next Seſſion of Parliament would reduce the Army, and that our Regular Troops would at laſt come really to be what they every Year are ſuppoſed to be by Parliament, nothing but Guards and Garriſons, which would of courſe free all thoſe who do not live in the Purlieus of a Garriſon, or the Sunſhine of a Court, from the Burden of quartering of Soldiers.

'But, Sir, the People have been ſo long diſappointed in theſe Expectations, that it is to be feared, they will ſoon grow deſperate. They will deſpair of ever ſeeing themſelves relieved from the Hardſhips they groan under, with reſpect to

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rmy. The Suſpicion will become general, that ſuch a Anno 14, Geo.
ous Army is not kept up to protect us againſt foreign II. 1740.
rs, or becauſe it is neceſſary for the juſt Ends of Go-
ent, but becauſe it is neceſſary for ſupporting and en-
g the weak or oppreſſive Meaſures of an Adminiſtra-
In this Caſe, every Corner of the Kingdom will be-
a Ledbury. The Soldiers will become every where
l to the People, and the People will become deſpicable
Eyes of the Soldiers. There will then be no Courte-
Harmony between the Soldiers and the Perſons upon
they are quartered. The latter will furniſh nothing
r unwelcome Gueſts, but what they are in the utmoſt
eſs of Law obliged to furniſh; and every Soldier will
with the utmoſt Rigour whatever he thinks himſelf
d to by Law. This will of courſe occaſion many
between the People and the Soldiers, and may at laſt
n an Inſurection; which will probably end in a total
tion of the Army, or in the Eſtabliſhment of a military
nment.

'his Conſequence, I ſay, Sir, is to be apprehended even
he Army you have now on Foot, and from the Laws
ve now in Force, with regard to the Quartering of
rs: but if by new Laws you increaſe the Demands of
ldier upon his Quarters, and at the ſame Time oblige
rſons upon whom he is Quartered to anſwer thoſe De-
, the Approach of this fatal Conſequence will be ac-
ted: I ſay, Sir, if by any new Law you increaſe the
nds of the Soldier: For whatever Gentlemen may think,
ldier's Demands upon his Quarters will be very much
ſed by what is now propoſed. At preſent he does not
, that his Landlord is obliged to furniſh him with Diet
mall-Beer at the Rate of a Groat a Day, the Soldier
ſiſt upon much better Proviſions, and perhaps a greater
tity too, than what he now chearfully accepts of. The
diate Conſequence of this will be, that a great many of
nn-keepers and other Public Houſes will give over
ſineſs, and betake themſelves to ſome other way of
g. This will increaſe the Burden upon thoſe that con-
in the Buſineſs, which will ſoon make many of them
the ſame Courſe; ſo that at laſt you may not have, in
Places, a ſufficient Number of Public-Houſes, for re-
g a Party of Soldiers upon their March; and the Con-
ce of this is, that they muſt either lie in the Fields, or
rtered upon private Houſes. The former they would
mit to; the latter I dread to think of, and therefore I
ainſt the Clauſe propoſed.'

Sir

Anno 14, Geo. II. 1740.

Sir William Yonge.

SIR,

Sir William Yonge.

'When I opened this Affair to you, and gave my Reaſons for the Clauſe, I took the Liberty to offer, I told you, that the Caſe had been lately rendered doubtful, by ſome Peoples refuſing to furniſh the Soldiers, quartered upon them, with Diet and Small Beer, or, indeed, with any Thing elſe; and that upon this a Law-ſuit was intended to be commenced, in order to have this Queſtion determined. If there had been any expreſs Words in the Law for obliging Inn-keepers and others to furniſh the Soldiers, quartered upon them, with Diet and Small-Beer, at the Rate of a Groat a Day, no ſuch Doubt could ever have ariſen, no Man would have been ſo mad as to have refuſed it, when the expreſs Words of the Law appeared againſt him, nor would there have been any Neceſſity to have troubled you with a new Clauſe upon this Occaſion. But will the Honourable Gentleman ſay, that nothing is ever comprehended within the Meaning and Intention of a Law, tho' not declared in expreſs Words? This is the very Caſe now before us: The Queſtion that has ariſen, is not upon the expreſs Words, but upon the Meaning and Intention of the Law; and if there was ever any Obligation created or eſtabliſhed by Inference from the Meaning and Intention of a Law, I think, there is, from the Meaning and Intention of this Law, a plain Obligation laid upon Inn-keepers and others, to furniſh the Soldiers quartered upon them, with a convenient Lodging, at leaſt with as convenient a Lodging as they can afford, and with neceſſary Proviſions, that is to ſay, Diet and Small-Beer, at ſuch a Rate as ſhall be appointed by the Juſtices, not exceeding a Groat a Day.

'This, Sir, is my Opinion, and in this Opinion I am ſupported, not only by the Opinion of ſeveral eminent Lawyers, but alſo by as plain Inferences as were ever in the World drawn from any Law. This, I think, will appear evident, if we will but ſeriouſly conſider the two Clauſes, in the laſt Mutiny Act, which relate to this Queſtion. The firſt ſays, "That Soldiers quartered as aforeſaid, ſhall be received by the Owners of Inns, and other Houſes, in which they are allowed to be quartered by that Act; and ſhall pay ſuch reaſonable Prices as ſhall be appointed from Time to Time by the Juſtices:" And then by the ſame Clauſe, the Juſtices are empowered and required to ſet and appoint reaſonable Rates for all neceſſary Proviſions for ſuch Soldiers. Now, Sir, if the Law did not intend to oblige the Inn-keeper to furniſh the Soldiers with neceſſary Proviſions, for what End was the Juſtice obliged to interfere? If the Inn-keeper

was

gree to furniſh the Soldier with neceſſary Proviſions, Anno 14, Geo. II. 1740.
d not certainly agree, unleſs the Soldier on his Part
o pay him ſuch Prices as he inſiſted on; and, if they
red together, what had the Juſtice to do in the Affair,
ſhould the Law oblige him to interpoſe? Nay, his
ition would ſignify nothing; for if the Inn-keeper
o take leſs than the Rate appointed by the Juſtices,
ld not prevent his taking leſs; and, if the Soldier
to pay more, they could not prevent his paying it.
re, from the Law's requiring the Juſtices to inter-
think, it is evident, that it meant to oblige the Inn-
to furniſh the Soldiers quartered upon him with
y Proviſions; becauſe, otherwiſe, the greateſt Part
Clauſe would be moſt impertinent and uſeleſs.

e other Clauſe, Sir, which relates to this Queſtion, is
ich is intended for ſecuring the Inn-keeper's Pay-
and here I muſt obſerve, that one of the chief De-
this Law, as appears from the very Title, is to pro-
ctually for paying the Quarters of the Army; and
es it provide? By enacting, "That the Pay-maſter,
e receives the Soldiers Pay, ſhall give Notice to all
pers and others to bring in their Accounts; and that
accept of, and immediately pay thoſe Accounts, be-
Part of the Subſiſtance be diſtributed to the Soldiers;
this Proviſo, that ſuch Accounts ſhall not exceed 4d.
m for a Foot Soldier's Diet and Small-Beer. Can
oſe that a Law chiefly intended for ſecuring the Pay-
the Army's Quarters, would have had ſuch a Pro-
it had intended, either that the Inn-keeper ſhould
berty to charge more, or that the Juſtices ſhould
Power to appoint a higher Rate for that Article. To
ſo is, I think, ſuppoſing the Law-makers to have been
a very great Abſurdity. But the contrary is, in my
, very evident. They wiſely conſidered the utmoſt
could allow for Diet and Small Beer; and they re-
both the Inn-keeper and Juſtice from exceeding that
The Inn keeper muſt therefore take care to provide
et and Small-Beer for his Soldier, as may be afforded
Price; and this the Soldier muſt be ſatisfied with,
he can pay for no better."

as, Sir, as to the Queſtion's being without any Doubt,
with the Honourable Gentleman that ſpoke laſt;
, he and I differ very widely in our Opinion. He
it is the Negative Side of the Queſtion that is certain
hout any Doubt, and I think, it is the Affirmative.
, that by a plain Inference from, tho' not by any ex-
ords in the Law, the Inn-keeper is certainly obli-
ged

Anno 14. Geo II. 1740.

ged to furniſh the Soldier quartered upon him with Diet and Small-Beer, at a Groat a Day; and he thinks that, neither from the Words, nor the Meaning of the Law, the Inn-keeper can be obliged to furniſh the Soldier with Diet and Small-Beer, at that or any other Price, but that if he does furniſh him, he can recover no more than a Groat a Day. I ſhall not therefore ſay it is a Doubt, becauſe that Word ſeems to offend, but it is a Difference in Opinion, that makes the Clauſe I have offered neceſſary; and as we have now the Opportunity before us, I think we ought to determine that Difference, and prevent the Expence of a Law ſuit, both to the Public and to the private Perſons that may be concerned. As we are now appriſed of this Difference in Opinion, about the Meaning of ſome of the Clauſes in the former Law, I think, it would be a Neglect of Duty in us to revive that Law, without determining that Difference; for, I am ſure, we ought not, knowingly, to make a Law that muſt create a Law-ſuit; and there is nothing more apt to occaſion Diſputes, and even Broils between the Soldiers and the People upon whom they are quartered, than their differing in Opinion about their reſpective Rights.

'I am ſo well convinced, Sir, of the Inconveniences and Dangers that may enſue from leaving this Difference in Opinion ſubſiſting, that I ſhould rather chuſe to have it expreſly declared, that Inn-keepers ſhall not be obliged to furniſh the Soldiers quartered upon them with Diet and Small-Beer, than to have it remain in the Uncertainty it is at preſent. But if you ſhould determine the Queſtion in this Way, I am perſuaded no Inn-keeper, Victualer, or other Perſon, upon whom Soldiers are uſually quartered, would furniſh them with Proviſions at the Rates which they are able to pay. The appointing a certain Rate for Proviſions would in that Caſe ſignify nothing; becauſe if the Inn-keeper did not like the Rate appointed by the Juſtices, he would furniſh no Proviſions: The Soldier muſt provide for himſelf; and this might be rendered impoſſible by a Combination among the Tradeſmen and Inhabitants of a Country Town; which Combination would, very probably, be entered into in all Country Towns and even in Cities, that do not like to have any Soldiers among them. There is, therefore, I think, a Neceſſity for obliging ſome Sort of People or other to furniſh the Soldiers with neceſſary Proviſions; and none are ſo proper to be laid under this Obligation as Perſons upon whom they are quarter'd.

Then, Sir, with regard to what the Soldier is to pay for Diet and Small-Beer, you may ſettle it at what you will, or not ſettle at all if you pleaſe; but I am very ſure, a Soldier cannot

cannot pay above a Groat a Day for Diet and Small-Beer, Anno 14, Geo. II. 1740.
becauſe the Subſiſtance Money actually paid him by the Government, never, or but very ſeldom, exceeds that Sum: A common Soldier has, indeed, Six-pence a Day allow'd him; but then, the Deduction made for Cloathing, for Stockings, Shoes, Shaving, and other Incidents, reduce his Pay to very little above a Groat a Day for his Subſiſtance. This, therefore, is the higheſt he can give for Diet and Small Beer; and as a Houſe-keeper may always provide for a ſingle Man, lodged in his Houſe, at a cheaper Rate than ſuch ſingle Man can provide for himſelf, I am convinced, there is not, at preſent, a Place in England, where a Houſe-keeper may not furniſh a Soldier, lodged in his Houſe, with Diet and Small-Beer, at leſs than a Groat a Day. In Times of Scarcity, 'tis true, it may be difficult to furniſh him with Diet and Small-Beer, at a Groat a Day; but, at ſuch Times, the Soldier muſt take up with worſe Fare; and, as they very ſeldom happen, they cannot be made a Foundation for any eſtabliſhed Regulation. A Famine may, indeed, ariſe in the Land; Such a Scarcity of Proviſions of all Kinds may happen, as to render it impoſſible for a Soldier to ſubſiſt upon a Groat a Day; but if any ſuch Calamity ſhould happen in the Country, and ſhould continue for any Time, it would be abſolutely neceſſary for the Government, to make a temporary Addition to the Soldiers Pay; for it is not to be expected, that a Body of Men, with Arms in their Hands, will allow themſelves to ſtarve. You muſt enable them to purchaſe a Subſiſtance: If you do not, they will take it by Force. You muſt provide for them by Law; if you do not, they will provide for themſelves againſt Law. If you oblige the Owners of Houſes, where Soldiers are quarter'd, to furniſh them with Diet and Small Beer at a Groat a Day, it may, in a Time of Scarcity, in ſome Places, be a Loſs to the Owners of ſuch Houſes; but that Loſs, I hope, will never be general, or of any long Continuance, and conſequently can never be ſo great as to come within the Notice of the Law, for *de minimis non curat Lex*.

I ſhall grant, Sir, that, if ſuch a Scarcity as this were to be of any long Continuance, and no Additional Pay given to the Soldiers, in order to enable and oblige them to make an additional Allowance to their Landlords for Diet and Small-Beer, it would force many of our Public-Houſes to give over their Buſineſs, becauſe the Loſs they had ſuſtain'd would diſable them from continuing it; but an Inn-keeper, Alehouſe-keeper, or Victualler's being at a ſmall Loſs for a Week or two in a Year, or for a Month or two in ſeven, by being obliged to furniſh the Soldiers quarter'd upon them with

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Diet and Small-Beer, will never force him to give over his Buſineſs, even tho' our Army were much more numerous than it is; nor will his being ſo obliged, occaſion any Broils between him and the Soldiers: becauſe, if they ſhould not reſt ſatisfied with ſuch Fare as he may afford them for a Groat a Day, and ſhould on that Account be uncivil, and troubleſome in their Quarters, he may have an eaſy Remedy, without any Expence, by complaining to the commanding Officer, who muſt, in order to recommend himſelf to the Government, be always ready to hear ſuch Complaints, and to give Redreſs, by puniſhing the Soldier when he deſerves it.

'From this Conſideration it is, Sir, that if any Thing is, by Law, to be left to Courteſy and Civility, it ought, I think, to be left to the Courteſy and Civility of the Soldier rather than his Landlord; becauſe the former may, by martial Law, be puniſhed for Want of Courteſy or Civility, but I know no Law by which the latter can; and, from Experience we find, we have leſs Reaſon to accuſe Soldiers of Want of Civility, than we have to accuſe their Landlords; which may be owing to this very Reaſon, that the Officers are always at hand, and have a Power to puniſh Soldiers for any rude Behaviour in their Quarters, whereas, the Perſons upon whom they are quarter'd, are liable to no ſuch Check. In the Affair at Wakefield, if it had not been for a moſt ſeaſonable and prudent Interpoſition of the commanding Officer, a moſt dangerous Tumult might have enſued; for the Townſmen had exaſperated the Soldiers to ſuch a Degree, that it was with the utmoſt Difficulty the commanding Officer prevented their coming to Blows; and if he had not had a great deal of Prudence, as well as great Authority, over the Men under his Command, he could not have reſtrained them from revenging themſelves upon ſome of thoſe Perſons that had uſed them ſo ill. I ſhall, therefore, never be afraid of putting it in the Power of Soldiers to demand from their Landlords what is neceſſary for their Subſiſtance, at ſuch Prices as they can afford to pay; but I am extremely afraid of putting it in the Power of thoſe Perſons, upon whom Soldiers are quarter'd, to make it impoſſible for them to ſubſiſt; which will, I think, be the Caſe, if you do not agree to ſome ſuch Regulation as I have propoſed.

'The Honourable Gentleman ſays, the Caſes that have been mentioned are of an extraordinary Nature, and ought not, therefore, to be made a Foundation for altering the Law. Sir, the Caſe of Wakefield, and the Caſe of Ledbury, are not the only two Caſes that might be mention'd: In many other Places, as well as there, the Inn-Keepers, and Ale-houſe-keepers

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houſe keepers have refuſed to furniſh the Soldiers with Diet and Small-Beer, or with Fire, and the neceſſary Utenſils for dreſſing their own Proviſions; and now the Queſtion is ſtarted, I make no Doubt, but that, in a ſhort Time, the Soldiers will meet with the ſame Refuſal in every Corner of the three Kingdoms. It was never queſtioned, till very lately, but that an Inn-Keeper or Victualler was obliged to furniſh the Soldiers quartered upon him with Diet and Small Beer, at ſuch Rates as the Juſtices ſhould appoint, not exceeding a Groat a Day; but of late they have been by ſome Lawyers adviſed, that they are not obliged by Law to do ſo; and therefore we may expect, that, from henceforth, none of them will furniſh the Soldiers quartered on them with Diet or Small-Beer, or with Firing, Salt, or any Kitchen-Utenſils for dreſſing the Proviſions they buy for themſelves, which, in my Opinion, will make it impoſſible for the Soldiers to ſubſiſt, eſpecially when they are upon a March from one Part of the Kingdom to another; and the neceſſary Conſequence of this will, I think, be a Mutiny in the Army; which I dread much more than any Danger that can ariſe from obliging Inn-Keepers and others, to furniſh the Soldiers quartered upon them with Diet and Small Beer, at ſuch reaſonable Rates as the Juſtices ſhall appoint, not exceeding a Groat a Day.

I ſhall admit, Sir, that it is a little unequal, and will be a ſort of Hardſhip upon the Owners of Public-Houſes, to oblige them to furniſh Soldiers with Diet and Small-Beer at a Groat a Day, when Proviſions are dear; and yet to leave it in the Power of the Soldier to furniſh himſelf, or in the Power of the Juſtices to make the Owners of ſuch Houſes take leſs, when Proviſions are cheap; this, I ſay, I ſhall admit to be a Hardſhip, becauſe in Time of Plenty the Owners of ſuch Houſes can have no Opportunity to repair the Loſs they ſuffered in Times of Scarcity. But, Sir, it is a Hardſhip ariſing from public Neceſſity, and muſt therefore be ſubmitted to. Is not the Quartering of Soldiers a Hardſhip as well as this? And yet no Scruple has ever been made to ſubject the Owners of Public-Houſes peculiarly to this Hardſhip. It is a leſs Hardſhip upon them, than it would be upon any other Part of the People; and as their Buſineſs is more profitable and eaſy, than moſt other ſorts of Employments, which People of an inferior Degree uſually betake themſelves to, the Parliament wiſely, and, I think, juſtly too, reſolved, that they alone ſhould bear this Burden, as often as public Neceſſity ſhould require. The Inequality, therefore, of this Burden or Tax, if you pleaſe to call it ſo, is not to be complained of; and if the Quar-

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tering of Soldiers were made a Handle of for oppreſſi City, Borough, or Corporation in the Kingdom, eſp for the ſake of influencing Elections, I make no Dou that we ſhould ſoon hear a Complaint of it in this and upon that Complaint I as little doubt, that the A of ſuch Oppreſſion would meet with condign Puniſhm

'Thus, Sir, as I ſee no Dangers that can accrue fr Clauſe I have offered; as I apprehend many Inconven and even Dangers too, from the Law's being left I muſt ſtill hope to ſee what I have taken the Lib offer, or ſome Clauſe to the ſame Effect, made a Part Bill now under your Conſideration.'

Mr. Harley.

SIR,

Mr. Harley.

'The Obſcurity and Uncertainty of the Law now our Conſideration, proceeds from a very natural C Cauſe which renders all Laws obſcure, that are inten the Promoters to encroach upon the Rights, Liberti Privileges of the People. By the Laws of Englan ſince we had ſuch a Thing as an eſtabliſhed Conſtitu Man's Houſe is reckoned his Caſtle; no Stranger, Officer is to enter into it without his Conſent, unleſs committed, or is ſuſpected to have committed ſome This was the Privilege which every Engliſhman a enjoyed; but Taxes and Standing-Armies have n prived moſt of the Subjects of England of this v Privilege; and in all the Laws that have been made Purpoſe, we may obſerve an Obſcurity, which by only has been cleared up. At firſt the Promoters a trivers were cautious, leſt the Friends of Liberty ſho ceive the Extent of their Deſign, and in the Bills th poſed, they expreſſed themſelves obſcurely, that afte in the Execution, they might by Interpretation ext Efficacy of the Law: This raiſed Doubts and Diſpu theſe have generally been cleared up by new or mor ſive Encroachments upon the Liberties of the People.

'Theſe gradual Encroachments, Sir, are, in no Caſ apparent than in what relates to the Laws now un Conſideration. When this Project of quartering upon Public Houſes without the Conſent of the Own firſt thought of, it would have ſounded very harſh Ears of an Engliſhman, to have ſeen a Clauſe inſer compelling the Owners, even of ſuch Houſes, to ſuch Gueſts, whether they would or no. The P were therefore obliged to content themſelves with for giving Liberty, not a Power, to Conſtables a

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giſtrates to quarter Soldiers upon ſuch Houſes, and they they deſired this Liberty only for Soldiers upon a March, for the firſt Night of their Arrival in the Places appointed for their Reſidence. They were forced to ſuppoſe, t the Owners of ſuch Houſes would willingly receive ch Soldiers as were quartered upon them by the Civil Maiſtrate, but this Suppoſition they took care not to have preſſed in the Law, it would then have plainly appeared, t there was only a Liberty, which was all they then ded to aſk, granted to the Civil Magiſtrate, to quarter or let Soldiers upon Public-Houſes, but that he had no Powor compel ſuch Houſes to receive them. This was to be left Cuſtom, becauſe they knew, that few private Men would re to diſpute the Power of their Magiſtrates; and if any ch Diſputes ſhould ariſe, the Projectors truſted to their be- g able to get it explained in their Favour, by ſome new aſe. Accordingly, Sir, when the Diſpute or Queſtion s ſtarted, whether the Owner of a Public-Houſe was o- ged to receive the Soldiers quartered upon him by the vil Magiſtrate, they at laſt got that Clauſe inſerted, which s ſince ſtood in all Mutiny-Bills, whereby it is enacted, That the Owners of ſuch Houſes ſhall receive the Soldiers quartered upon them." Anno 14, Geo. II. 1740.

' Thus, Sir, that which was at firſt deſired as a Liberty ly, has ſince been converted into a Power; and that Li- rty or Power which was at firſt deſired to be temporary ly, that is to ſay, to quarter Soldiers *for one or more Nights their marching, and for the firſt Night only in Places appointed for their Reſidence*, has been ſince made perpetual, by very ſmall and imperceptible Alteration in the Words of e Clauſe. When this Liberty or Power of quartering Sol- rs upon Public-Houſes, without the Conſent of the Own- , was firſt aſked, the Parliament would have been amazed it had been expreſsly aſked, that Soldiers ſhould always be ceſſary Inmates in Public-Houſes, that they ſhould always ve a Lodging at free Coſt, even in the Places appointed for eir Reſidence: Such a Propoſal the Parliament would en certainly have rejected with Diſdain. This the Pro- ſors were ſenſible of, and therefore they aſked only for e or more Nights upon a March, and for the firſt Night ly after their Arrival at the Place appointed for their Reſi- nce; but as they had the drawing up of the Bill, and were ſolved, if poſſible, to extend it farther than was then de- ed, they took care that this Reſtriction ſhould not be in- ed in expreſs Words, or in the proper Place, but brought as it were by Head and Shoulders, at the End of that Clauſe

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Clauſe which requires the Juſtices to appoint Rates for Proviſions.

'By this means, Sir, our Standing-Army-Projectors at firſt obtained a Liberty to quarter Soldiers, by the Interpoſition of the Civil Magiſtrate, upon Public-Houſes, for one or more Nights upon their March, and for the firſt Night only in Places appointed for their Reſidence; and a Foundation for a temporary Lodging at free Coſt, being thus laid, when the Mutiny-Act was revived in the firſt Year of the late Queen Anne, our Army-Projectors took care to lay a better Foundation for rendering this temporary Privilege perpetual, by requiring Juſtice to appoint ſuch reaſonable Rates for all neceſſary Proviſions for ſuch Officers and Soldiers, for one or more Nights in their marching thro' their Cities, Towns, and Villages, *as ſhall be appointed for their Reſidence or Quarters.* In this Form this Clauſe continued for ſeveral Years; but at laſt it began to be conceived in theſe Words, "And the Juſtices of the Peace aforeſaid are hereby empowered and required to ſet and appoint ſuch reaſonable Rates for all neceſſary Proviſions, for one or more Nights, in the ſeveral Places which Soldiers ſhall come to in their March, *or which ſhall be appointed for their Reſidence and Quarters*;" in which Words, or Words to this Effect, the Clauſe had ſtood ever ſince. This, as appears, is but a very ſmall Variation from the Clauſe as it ſtood at firſt; and, I am perſuaded, it was imperceptibly introduced, that is to ſay, without being taken Notice of by thoſe who were the true and ſincere Friends of the People, and of the Liberties of their Country. The Misfortune is, that thoſe who are for keeping up Standing-Armies, have generally the drawing up of ſuch Bills; and this makes it eaſy for them to introduce, imperceptibly, very material and dangerous Variations, when they are not moſt ſtrictly looked after.

'But this, Sir, is not the only Misfortune: They have not only the drawing up of the Bills, but they have the Execution of them after they are paſſed into Laws; and in the Execution they put that Interpretation upon them that beſt ſuits their own Purpoſes, in which they are encouraged by a Backwardneſs, too common among private Men, to contend with the Government about the Interpretation of a Law, which probably was made obſcure, on purpoſe to enable thoſe entruſted with the executive Power to carry it further than was ever dreamed of, or would have been approved of by a Majority of thoſe entruſted with the Legiſlative. Thus, tho' our Army-Gentlemen had for ſeveral Years no Power, and for many Years no expreſs Power, to quarter

Soldiers in the Places appointed for their Reſidence, for the firſt Night only after their Arrival there, yet troduced the Cuſtom of quartering Soldiers even in ces appointed for their Reſidence, and during the Time of their Reſidence; ſo that the Quartering of , inſtead of being a temporary, became a perpetual upon the Public-Houſes in Weſtminſter, and many rts of the Kingdom. And this Cuſtom being once ted, they at laſt got a ſort of legal Authority for it, ng a Clauſe inſerted in the Mutiny Bill, paſſed the 7th late Queen, whereby it was enacted, "That the les in Weſtminſter and Places adjacent, ſhould billet of the Foot Guards in ſuch Houſes only as by the limited, in and about the City of Weſtminſter, ex- e City of London. But this of quartering Soldiers Places appointed for, and during the whole Time of eſidence, was deemed to be ſuch a Grievance, that in Year of the late King, and by the firſt Mutiny-Bill n his Reign, a Clauſe was inſerted, by which it was , "That nothing in that Act ſhould extend to com- Quartering of any Foot Soldiers in England, unleſs ten Miles of his Majeſty's uſual Reſidence, or the here he ſhould be preſent, or in ſome Garriſon where t Barracks were not provided, or upon their Marches; at in ſuch Marches no Perſons ſhould be obliged to them above *ſix Days* at a Time."

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ave the more fully opened this Affair to you, Sir, be- hen the preſent War is over, which, I fear, will not , unleſs we purſue it with more Vigour than we have ttherto, or put an End to it by an inglorious Peace; ir, when the preſent War is over, I hope we ſhall em- he Opportunity of returning, as near as poſſible, to our Conſtitution. We may think it neceſſary to keep e regular Troops in Time of Peace; but I can ſee no n we have for a Mutiny Bill, unleſs when we are engaged in War. We kept up ſome regular even in the peaceable Part of King William's Reign, ſe Troops, ſo far as I could ever hear, were kept in ough Order without any Mutiny-Bill; for from the f April 1698, to the 20th of February 1701, when a ith France and Spain began to be thought unavoid- e had no Mutiny-Act ſubſiſting in this Kingdom; and always be againſt having ſuch Law ſubſiſting, except bſolutely neceſſary; becauſe I do not like to make of thoſe in Time of Peace, to whom we are to truſt our and our Defence in Time of War.

Having

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' Having thus given you my Sentiments about the Time for which Soldiers may or ought to be quartered, before I come to the very Point now in Queſtion, I ſhall beg Leave to explain a little farther, how, and by what Degrees the Owners of Public-Houſes were compelled to receive the Soldiers quartered upon them by the Civil Magiſtrate. I have already taken Notice, that when the Quartering of Soldiers upon ſuch Houſes was firſt aſk'd for, it was aſk'd for as a Liberty only, not as a Power. The Conſtables and Magiſtrates were not empowered and required, it is ſaid only, that they may quarter and billet Officers and Soldiers upon Inns and other Public-Houſes: Nay, the Conſtables and Magiſtrates might have refuſed ſo to do: There was no Law for puniſhing them for ſuch Refuſal, till the firſt Year of his late Majeſty's Reign, when a new Clauſe was inſerted for that Purpoſe. And as to the Owners of Public-Houſes, they were for many Years left entirely at Liberty, whether they ſhould receive the Soldiers ſo quartered upon them: for I know of no Law that ſo much as ſeemed to oblige them to do ſo, till the tenth of the late Queen Anne, and then this compulſatory Clauſe was introduced but in a partial Manner; for in that Law a new Clauſe was introduced, by which it was enacted, " That if any Perſon ſhould be aggrieved by a Conſtable's billeting in his Houſe a greater Number of Soldiers than he ought to bear in Proportion to his Neighbours, upon Complaint to a Juſtice of Peace, that Juſtice was to relieve him, by ordering ſo many of the Soldiers to be removed and quartered upon ſome other Perſons, who ſhall be obliged to receive them accordingly."

' This, I ſay, Sir, is the firſt Clauſe I can find, in any of our Mutiny-Acts, that ſeems to oblige Owners of Public Houſes to receive any Soldier ſo quarter'd upon them; but this Foundation being once laid, a Pretence has from thence been taken, to inſert ſome new and general Words in all our Mutiny-Bills of late Years, by which it is enacted, " That the Officers and Soldiers ſo quartered and billeted as aforeſaid, ſhall be received by the Owners of the Inns and other Public-Houſes;" and it is remarkable, that theſe Words, which make ſo great an Alteration in our Law, were not formed into a Clauſe by themſelves, but were, as I may ſay, ſtoln into the Beginning of that Clauſe, which enacts, " That the Soldiers ſhall pay reaſonable Prices for the Proviſions furniſhed them by the Owners of the Houſes, where they are quartered."

' You may now ſee, Sir, by what ſlow, what hidden, and what imperceptible Degrees our Mutiny-Act is arrived to its preſent Maturity and Perfection; and now I muſt ſay, the puniſhing

niſhing Touch ſeems to be deſigned. Finiſhing I may call it, Sir, in a double Senſe; it will be the finiſhing Touch to this Bill, and I am afraid, the finiſhing Blow to the Liberties of our Country. Our Soldiers, which I am ſorry for, and which we may come heartily to repent of, if we ſhould ever have Occaſion for their Courage; our Soldiers, I ſay, have long been made Slaves by this Bill; and now, the Owners of all the Public-Houſes in the Kingdom are to be made the Slaves of thoſe Slaves: For this will be the Caſe, if we ſhould by any expreſs Law oblige the Owners of ſuch Houſes to furniſh the Soldiers quartered upon them, with Diet and Small-Beer, whether they will, nay whether they can, or no. Anno 14, Geo II. 1740.

'Sir, it is, in my Opinion, of very little Signification to the preſent Queſtion, whether this was or was not the Meaning of all or any of the Mutiny-Bills we have paſſed into Laws. I am very ſure, I never thought it was; and if it were determined to be ſo, by the Decree of any Court of Judicature in England, I ſhould be for our taking the firſt Opportunity to alter the Law in this reſpect. But when we talk of the Meaning and Intention of ſuch Laws, we ought to diſtinguiſh between the Meaning and Intention of thoſe that were the chief Promoters of them, and the Meaning and Intention of thoſe who only gave their Conſent to the paſſing of them. As to the former, I make no Queſtion, but it was their Meaning and Intention to oblige the Owners of Public-Houſes to furniſh the Soldiers with all neceſſary Proviſions, tho' they durſt not declare their Intentions in expreſs Words, becauſe it would either have thrown out their Bill, or have occaſioned the inſerting of ſome expreſs Words againſt what they intended: They therefore choſe to draw up their Bill in a dubious Sort of Expreſſion, that after they had got it paſſed into a Law, they might make the moſt of it in the Execution; and, indeed, they made ſo good an Uſe of their Power in the Execution, that the Owners of moſt Public-Houſes did agree to what they deſired.

'But in this, Sir, they were at firſt very much favoured by the Circumſtance of the Times; becauſe the Nation being at that Time engaged in a heavy and expenſive War againſt France, the Revolution in its Infancy, and our public Credit far from being ſo well eſtabliſhed as it has been ſince; our Government was often very ſhort of Money, and very dilatory in their Payments to the Army, eſpecially to thoſe Regiments that remained within the Kingdom, who were ſometimes for ſeveral Months together without receiving any Pay; and when our Soldiers had no Money to purchaſe Proviſions for themſelves, it became neceſſary to have them provided for by thoſe upon whom they were quartered.

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tered. It was, therefore, the Public Neceſſity that made the Owners of Public-Houſes ſubmit to the furniſhing the Soldiers with Diet and Small-Beer, and not any Conſciouſneſs of their being obliged by Law to do ſo; and for the ſame Reaſon, the Parliament, at that Time, connived at the Interpretation put upon the Mutiny-Act by thoſe that had been the Promoters of it: Nay, in the Year 1696-7, the Parliament agreed to a Clauſe, which ſeem'd to confirm this Interpretation; for it was then enacted, "That no Innholder or other Perſon ſhould, during the Continuance of that Act, be oblig'd to provide Meat or other Victuals for any Soldiers, legally quartered on them, except in their March only, if they ſhould give or tender to each Horſeman 6d. per Diem, for his Subſiſtence in Meat only, and to every Dragoon and Foot Soldier 4d. per Diem for the ſame, beſides Candle and the Uſe of his Fire for dreſſing his Meat;" and by another Clauſe in the ſame Act it was provided "That Inn holders and others ſhould furniſh for every Soldier, lawfully quartered upon them, Lodging, Small-Beer, and Candle, with the Uſe of Fire to dreſs his Meat by, and Hay and Straw to a Light Horſeman, and 5d. per Diem to a Dragoon. But one may eaſily ſee, that theſe Clauſes proceeded from the Neceſſities the Public was that Year reduced to, by Reaſon of the clipp'd Money having been called in to be recoined but the Year before, and by Reaſon of the vaſt Expence this Nation was at in ſupporting the War, which laid them under a Neceſſity of paying 8 per Cent. for Money borrowed in that Year; and this obliged the Parliament to conſent to this harſh and unequal Method of providing for the immediate Subſiſtence of the Troops.

'I am, therefore, very well convinced, Sir, that it was never the Intention of the Majority in Parliament, to ſubject the Owners of Public-Houſes to the unequal and heavy Burden of being obliged to furniſh the Soldiers, quartered upon them, with Diet and Small-Beer, at a Groat, or any other Rate, per Diem; and, I believe, no Lawyer will ſay, that a Man can be ſubjected to a Penalty, or Obligation, by Inference from any Words in a Law that can admit of another Interpretation. But whether or no the Majority of Parliament have been drawn in to do what they did not intend, as I am no Lawyer, I ſhall not pretend to determine. I muſt be, at leaſt, doubtful in my Opinion; and I have a very good Authority for being ſo; for in the Affair at Ledbury, a very great Lawyer, and one of the Judges upon the Aſſizes then holding there, I mean Judge Comyns, was aſked his Opinion upon this very Queſtion, and he declared himſelf to be doubtful.

'The

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' The Argument, Sir, which has been drawn from the Clauſe requiring Juſtices to ſettle the Price of Proviſions, is of very little Force; for I do not think the Juſtices had from thence any Power to preſcribe how much a Soldier ſhould eat, or to order that his Landlord ſhould furniſh him with as much as he could eat for a Groat, or at any leſſer Rate per Diem: They were only to appoint and aſcertain the Prices of all neceſſary Proviſions, ſuch as Bread, Small-beer, Beef, Mutton, Butter, Cheeſe, and the like, according to the Market Rates, at that Time, and in that Place; and this Appointment of theirs, neither was, nor could be ſuppoſed to take Place, but in Caſes where the Soldier and his Landlord could not agree between themſelves. Their Interpoſition was deſign'd only, and could be deſign'd for nothing elſe than to prevent Diſputes between Soldiers and the Perſons upon whom they were quarter'd. And, ſurely, it would have been a very lame Proviſion for paying, duly and juſtly, the Quarters of the Army, if the Law had obliged an Inn-keeper to furniſh every Soldier with as much as he could eat, and of what Sort of Proviſions he pleaſed to inſiſt on, without allowing him any more than a Groat a Day, even in the deareſt Times, and for the beſt Sort of Proviſions.

' To tell us, Sir, that the Inn-Keeper will always meet with Redreſs from the commanding Officer, in caſe a Soldier inſiſts upon too much, or too delicate Fare, becauſe the Officer will thereby recommend himſelf to the Government, is ſomething very ſtrange, becauſe it may, in many Caſes, be directly otherwiſe: A Regiment or two may be ſent to correct an unruly County, City, or Borough: A private Hint may be given to the commanding Officer, that this is the Deſign of ſending him there, and this Deſign may be communicated to the Soldiers. Muſt we not, in this Caſe, ſuppoſe that the Soldiers will make the moſt rigorous Uſe of every Right granted them by Law? Can we ſuppoſe, that the commanding Officer will be ready to hear or redreſs the Complaints of the Inhabitants? If he is, I am ſure, we cannot ſuppoſe he will thereby recommend himſelf to the Government. Such a Caſe as this, Sir, may certainly happen; and we are not to ſuppoſe, that no ſuch Caſe ever did happen, becauſe no ſuch Complaint had ever been brought to Parliament. It is impoſſible, Sir, to prove the Fact upon which ſuch a Complaint muſt be grounded. The true Cauſe of ſending a Regiment to quarter upon a Borough, may be ſuſpected; it may be almoſt certainly gueſſed at; but Miniſters have ſo many Reaſons or Pretences to alledge for ſending one or more Regiments to any Part of the Kingdom

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that it is impoſſible to prove, they had no other Reaſon but that of the Borough's having ſent two diſagreeable Faces to this Aſſembly.

' But ſuppoſe, Sir, that no ſuch Caſe could ever happen; and ſuppoſe that the Officers of the Army ſhould always be ready to hear and redreſs every juſt Complaint againſt the Soldiers, or any Soldier, under their Command; tho' I have a very good Opinion of the Juſtice, Honour, and Impartiality of the preſent Officers of our Army, yet, I ſhall never agree to a Regulation that renders any Part of the People liable to be oppreſſed by the Soldiers, without any Relief but from the commanding Officer. I do not think, that the eſtabliſhing of this Regulation can be preſumed to have been the Intention of any Parliament of Great Britain, unleſs we, at the ſame time, ſuppoſe that the Majority of the Parliament conſiſted of Officers of the Army, which is not to be ſuppoſed of any Britiſh Parliament hitherto; tho' I do not know what may be the Caſe hereafter, if a Bill ſeveral times propoſed without Succeſs, ſhould never meet with a better Fate than it has done. If this, indeed, ſhould happen, we may expect to ſee ſuch a Clauſe as this approved of, and another Clauſe, which is the only one I can at preſent think of, that is wanting to make this Bill a compleat Syſtem of Slavery; I mean a Clauſe for ſubjecting Public-Houſes to ſevere Penalties, if they do not furniſh the Soldiers quartered upon them, with convenient Lodging and all neceſſary Proviſions.

' Such a Clauſe as this, I ſay, Sir, ſeems to be wanting; and if we agree to the Clauſe now offered, I ſhall expect to ſee ſuch a one as this offered in the very next Seſſion of Parliament: for your obliging Inn-Keepers to receive Soldiers, and to furniſh them with Diet and Small Beer, will not ſignify much, unleſs you ſubject them to Penalties, or empower the Soldiers to make Diſtreſs and Sale of their Goods, if they do not.

' I mention this, Sir, to ſhew you what this ſuperlative Care of the Army muſt, at laſt, drive you to: But what muſt be the Conſequence? In a little Time you will have no Inns, Alehouſes, or other Public-houſes in the Kingdom; at leaſt, not near ſufficient for quartering your Army; and then you muſt quarter your Soldiers upon private Houſes, or build Barracks for them. The latter, I confeſs, I ſhould rather ſubmit to, tho' I think the certain Conſequence of it would, at laſt, be a military Government; becauſe it would, in a ſhort Time, render our Army a ſort of diſtinct People. While our Soldiers are quartered in the Public-houſes up and down the Country, it preſerves a Correſpondence, and an

Intimacy

between them and the People: They often con- Anno 14, Geo. II. 1740.
endſhips together, which preſerves in the Army
d for the People, and makes them look upon
as nothing more than Fellow-Subjects; but, if
ld once come to be lodged in Barracks, ſeparate
ct by themſelves, they would ſoon begin to look
mſelves as ſole Maſters: They would then break
orreſpondence with, and loſe all Regard for the
and would be the ſame, in every Reſpect, with
roops. They would conſider nothing but their Pay
rment in the Army, and would be ready to obey
illegal Orders that could be given them by their
der in Chief; the Conſequence of which would
ſtabliſhment of a military Government.

ſe, Sir, are Conſequences that are moſt juſtly to be
from your agreeing to what is now propoſed; but,
her hand, what is the Conſequence we are threa-
h? I am really ſurprized to hear it mentioned in
ſe. It is ſaid, if you do not agree to ſome ſuch
s this, the Army will mutiny. What, Sir, will
mutiny, if you refuſe them a Liberty to oppreſs
le? When I hear this Houſe threatened with ſuch
uence, I muſt ſay, it is high Time for us to think
ng our Army, or of ſending them, where they
have been ſent long ago, Abroad to fight our Ene-
ere they may gain both Honour and Wealth to
s, and at the ſame time vindicate the Honour of
ntry. It is a common Failing of weak Minds,
times of weak Miniſters too, Sir, to avoid leſſer
running themſelves into greater, and rather than
emſelves to a ſmall immediate Danger, to run
into a Danger which is much greater, but a little
note: I wiſh this may not lately have been our
th regard to foreign Affairs; I am ſure it would
ſe, with reſpect to domeſtic, if, for fear of a Mu-
e Army, we ſhould give them a legal Title to op-
People, which would be the Conſequence of our
o the Clauſe propoſed, and therefore I muſt declare

lham.

heartily ſorry when I heard that any Doubt or Mr. Pelham.
ad ariſen, about the Affair you have now under
ſideration. I foreſaw, that the Diſcuſſion would
ed with great Inconveniencies, and that it would
n much better, if the Queſtion had never been
ſtarted

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ſtarted. Whilſt the Inn-keeper thought he was
furniſh the Soldier with Diet and Small-Beer, and
dier doubted if he was, it made both of them live
one another: The Inn-keeper provided for the Sol
beſt he could afford for the Money, becauſe he thoug
ſelf obliged to do ſo; and the Soldier often conten
ſelf with the worſe Fare, rather than be obliged to
Trouble of providing for himſelf. But now the Qu
ſtarted, and eſpecially as the Opinion begins gene
prevail, that no Inn keeper, or other Perſon upon
Soldiers may be lawfully quartered, is obliged to furni
Soldiers with any ſort of Proviſions, I confeſs, I thou
would be abſolutely neceſſary to put an End to the D
by ſome ſuch Clauſe as my Honourable Friend has prop
However, I muſt ſay, I now wiſh it had not been propo
or the Doubt ſo much as mentioned in this Houſe, bec
the Clauſe ſeems to give ſeveral Gentlemen great Ap
henſions; and if the Clauſe ſhould be rejected, it w
interpreted by the whole Nation, as the Opinion of
Houſe, that Inn keepers and others are not obliged to fur
any Diet or Small Beer for the Soldiers quartered u
them.

'I ſhall not take up your Time, Sir, with giving you
Reaſons, why I think otherwiſe; for as I do not pretend
be learned in the Law, I cannot preſume, that my Opini
will have any Weight, or that my Reaſons will be facetio
tory: And, indeed, I think it below the Dignity of th
Houſe to conſider the Point in this Light, becauſe, if
Law were wrong, it is our Buſineſs to rectify it; and if
ſhould be Law, but is not, it is our Buſineſs to make it
We are therefore to conſider, whether it be in itſelf right
wrong, that Inn-keepers, and others, upon whom Soldier
may be lawfully quartered, ſhould be obliged to furniſh
Soldiers, ſo quartered upon them, with Diet and Small Bee
at a Groat a Day, or ſuch leſſer Rate as they ſhall agree
In my Opinion, it is right it ſhould be ſo, and I have
very ſtrong Argument in my Favour, which is almoſt forty
Years Experience. Whatever the Meaning of the Law may
be, it is very certain, that ever ſince the firſt Mutiny-Act was
paſſed, which is thirty-nine Years ago, the Opinion has gene-
rally prevailed, that the Owners of Public-houſes were o-
bliged to furniſh the Soldiers quartered upon them with Diet
and Small Beer: This, I ſay, has been the general Opinion
till very lately, and the Law, in this Senſe, has been gene-
rally complied with. In all that Time, it has never
duced any Inconveniencies, nor can the Owners of
Houſes ſay they ever met with any Oppreſſion or Ex-

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from the Soldiers quartered upon them, but what was re- Anno 14, Geo. II. 1740.
dreſſed by the Officers, as ſoon as they heard of it.

'The Law therefore, Sir, during the Time it has been interpreted in this Senſe, has produced no bad Effect; but if it ſhould be interpreted otherwiſe, as it will be, if you reject this Clauſe, God knows, what ill Effect, it may produce. No Inn-keeper, or other Perſon, upon whom Soldiers may be lawfully quarter'd, will think himſelf obliged to furniſh any Thing for the Soldiers, even when they are upon a March; and conſequently, no Inn-keeper will furniſh any Thing, unleſs they agree to pay the Price he pleaſes to demand. The Juſtices may appoint Prices, but what will that ſignify, if no Man be obliged to furniſh or ſell to the Soldier at that Price? The March of a Regiment, Troop, or Company, will occaſion a Market or Election-Day at every Country-Town they paſs thro': The Prices of all Manner of Proviſions will riſe to double what they are upon ordinary Occaſions; and if the Soldiers will not, or cannot, which will be truly the Caſe, pay thoſe Prices, no Man will ſell them any Thing. Sir, it is eaſy to ſee what this muſt produce: The Soldiers will not ſtarve in a Country where there is Plenty; it is unreaſonable to expect they ſhould; and if they cannot pay the Prices demanded, they will take what they want at their own Price, perhaps without paying any Price, becauſe the Crime will, in ſtrict Law, be the ſame: They will break open Doors to come at it, or to ſearch for it; and if ſuch a Body of Men ſhould once begin to think themſelves criminal in the Eye of the Law, they will naturally and of courſe begin to think of deſtroying that Law, which would deſtroy them; eſpecially, as they will expect, and in ſuch Caſe might, probably meet with the Support of the whole Army.

'Theſe Effects, Sir, are certainly to be apprehended, becauſe, I think, they are the natural Conſequences of your altering the Law, in this reſpect. I call it altering the Law, becauſe, if it was not Law, it has at leaſt been underſtood to be Law for almoſt forty Years paſt. If this was really the implied, tho' not expreſſed Meaning of the Law, ſurely no great Inconvenience can ariſe from your making the Law more explicit: If this was not the implied Meaning of the Law, I think, you ought now to make it the expreſſed Meaning of the Law, becauſe the public Safety requires it. Some Method muſt be taken to provide for the Soldiers: They muſt live, and they muſt live upon a Groat a Day, becauſe they have no more to give. They muſt have neceſſary Proviſions at the Prices they are able to pay for them, and they muſt have them at or about the Places where they are quartered,

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tered, becauſe according to the Rules of Diſcipline in th Army, they cannot go elſewhere to ſeek for them. If yo oblige the Owners of Public-houſes to furniſh neceſſary Pro viſions for the Soldiers quartered upon them, at the Price the Soldiers are able to pay, for at thoſe Prices they mu furniſh or not at all, you only make them a ſort of Purveyor for the Army, which has never been thought a bad Employ ment: They will generally have ſome Days Notice of Regiment, Troop, or Company's coming to be quartere upon them, and will take care to provide ſome Days befor hand, when the Markets are cheap, or they will ſend to th Market-Town in the Neighbourhood where they can bu cheapeſt. They will always have many Opportunities, as many Methods of providing for the Soldiers, at a cheap Rate than they can provide for themſelves; and ſince the may ſo eaſily, and ſo certainly, provide for the Soldiers quar tered upon them, at ſuch Prices as the Soldiers are able pay, I cannot think there would be any great Hardſhip obliging them to do ſo.

'The Dangers from thence ariſing, and which have bee ſet in ſo terrible a Light by ſome Gentlemen in this Debat are in my Opinion, Sir, mere Bugbears, created by the Im gination only. It will very rarely happen, eſpecially Places at any Diſtance from London, that a Soldier may n be plentifully furniſhed at the rate of a Groat a Day; and any Soldier ſhould inſiſt upon a greater Quantity of Victual or upon more delicate Fare, than can be furniſhed at th Price, he will not only be deſpiſed by his Companions, b puniſhed by his Officer; for hitherto in the Army, and, hope, it will always be ſo, there is nothing reckon'd mo diſhonourable and deſpicable than for a Soldier to be troubl ſome and uneaſy in his Quarters, without any juſt Caus from whence, I believe, it would be a very dangerous Pr ject to ſend Soldiers to quarter in a City or Borough, with private Hint to be as oppreſſive as poſſible in their reſpe tive Quarters, in order to puniſh City or Borough on A count of an Election. Thank God! the Soldiers of o Army would as yet deſpiſe ſuch Hints, and thoſe that gi them: They would think themſelves obliged in Honour diſcover the Authors of ſuch treaſonable Practices agai the Conſtitution of their Country; and therefore, upon Complaint, it would be very eaſy for this Houſe to find o and puniſh the Authors: Nay, as we are not tied down the Rules of Evidence in Weſtminſter-Hall, we might ve probably by proper ſifting, come at the prime, and origi Author.

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' For theſe Reaſons, Sir, I muſt think, that the Dangers pretended to ariſe from our obliging the Owners of Public-houſes to furniſh Diet and Small-Beer for the Soldiers quartered upon them, are all imaginary; but the Dangers ariſing from our leaving the Soldiers of our Army unprovided for, and often without a Poſſibility of providing for themſelves, are far from being ſo. Theſe Dangers therefore muſt be guarded againſt: I ſhould be glad to find ſome other Expedient for avoiding theſe Dangers; but if no other can be found, we muſt take what is now propoſed. It is the Buſineſs of every Gentleman here, when any Difficulty or Danger occurs, to think of, and contrive ſuch Expedients as may be moſt effectual and moſt ſafe for his Country; and yet there are ſome Gentlemen in this Houſe, who ſeem to behave in a very different Manner: They are always ſtarting Objections againſt, and preſaging Dangers from every Expedient they hear propoſed, but never offer any Propoſal, any Remedy or Prevention, of their own. As theſe Gentlemen ſeem to have a mighty fruitful Invention, I wiſh they would apply it to the Caſe now before us: I wiſh they would propoſe ſome other Expedient for preventing the Evil we are at preſent threaten'd with. If they do, I promiſe them, I ſhall give it a candid and impartial Examination; and if I think it more effectual or more ſafe than what is now propoſed, I ſhall certainly give it the Preference.'

A.

Sir,

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' I ſhall not pretend to tell you what is now the Law, with regard to the quartering of Soldiers. I have carefully read over the Act now ſubſiſting for that Purpoſe; but I muſt confeſs, I am a little doubtful in my Opinion, and I have no Reaſon to be aſhamed of ſaying ſo, after ſo great a Lawyer, as Judge Comyns, declared himſelf doubtful, as an Honourable Gentleman has been pleaſed to inform us. I have a very great Regard for the two learned Gentlemen, who have given their Opinions upon the Queſtion; but as I am converſant among Lawyers, I have known Lawyers give Opinions in this Houſe, which were contrary to the Opinion of the moſt Noted of the Profeſſion; and therefore, the Opinions that have been given, can be no Authority for declaring what is Law at preſent.

' The Honourable Gentleman who ſpoke laſt, Sir, has told us, that whatever may be the Meaning of the Law, it has for near forty Years paſt been a prevailing Opinion, that the Owners of Public-houſes were by Law obliged to furniſh the Soldiers quartered upon them, with Diet and Small-

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Beer. That this, Sir, has been the general Practice, be true; I believe the Owners of ſuch Houſes have rally done ſo; but this is no Proof of its having bee general Opinion, that they were by Law obliged to A Man will ſubmit to a ſmall Hardſhip, rather than a doubtful Point in Law; but when that Hardſhip be grievous, he thinks it worth his while to conteſt it, than ſubmit to it any longer. The Doubt that ha lately ſtarted, does not, therefore, proceed from P having altered their Opinion, but from your havin up ſuch a numerous Army for ſuch a Number of Years People grew at laſt tired of ſubmitting to a Hardſhip, they doubted if they were obliged to ſubmit to, and inſtead of being removed or lightened, they found i growing almoſt every Year more heavy than it was b

'This, Sir, is the true Reaſon of the Doubt that h lately ſtated, in relation to the furniſhing of Soldier Diet and Small-Beer, or with Hay and Straw fo Horſes, at the Prices allowed by the Government; have now ſuch a great Number of Land-Forces with Kingdom, that I am not at all ſurpriſed at the Peopl ing generally reſolved to have this Queſtion determin way or other. What Uſe was deſigned, or what U be made of this great Land-Army, I ſhall not pret gueſs; but I am afraid, no Uſe, at leaſt no military U be made of them. As we are in courſe to have nex mer a new Parliament choſen, the great Augmentat have made, and the expenſive manner in which w made that Augmentation, gives Occaſion to very ug picions. People know what an Uſe may be made of miſſions for Officers to ſerve in the Army, with reg Elections for Members to ſerve in Parliament: A C ſion, or the Promiſe of a Commiſſion in the Army, n gage a Man and his Friends to vote for a weak or Miniſter, who would otherwiſe moſt certainly vote him: The Terrors of having a Regiment of Foo Regiment of Dragoons ſent to quarter upon a Borou engage the Magiſtrates, ſome of whom are often In ers, to vote for a Court Candidate, whoſe Face they ha the Pleaſure to behold, in Oppoſition to the moſt ho and honeſt Gentleman in their Neighbourhood.

'Theſe, Sir, are ſome of the illegal Uſes that n made of an Army; and every illegal Uſe that can b of an Army, will receive new Strength from the Am now propoſed. If you lay Inn-keepers, and other of Public-houſes, under a legal Obligation to furniſh diers with neceſſary Proviſions for themſelves and H

to be appointed by Law, as you cannot aſcertain quantity or Kind of ſuch Proviſions, the Owners ſes will never be able to ſatisfy the Soldiers quar- hem. The Soldier will inſiſt upon having more t, than the Inn-keeper can buy for Six-pence, uſt be allowed, would be a very great Oppreſſion ter; and how is he to be relieved? Why, by the Good-nature of the commanding Officer. Sir, ay be good-natured and humane, I believe ma- are ſo; but it is hardly poſſible to prevent a a little partial to one of his own Cloth; and moſt think, a Law for ſubjecting the People to reſſion, without any other Remedy, could neither d-natur'd nor humane; eſpecially if we conſider, Regiment is ſent to correct an obſtinate Bo- unty, the commanding Officer, without ſo much ill know, that this Preferment depends upon his ar to the Complaints of the Inhabitants.

ng ſuch a Law as this, at this Time, will therefore increaſe thoſe Suſpicions that have been already e Augmentation we have lately made to our he expenſive manner in which that Augmentation de; and in theſe Suſpicions moſt People will be f the greateſt Part of our Army is not very ſoon the Kingdom, to carry on with Vigour the War engaged in. If any thing like this be deſigned, Occaſion for altering or explaining the Law; People will then have but few Soldiers quartered and will therefore continue to do, as they have moſt forty Years paſt. The Owners of Public- continue to furniſh the Soldiers with neceſſary when the Soldier contents himſelf with ſuch Pro- is Landlord can furniſh at the Price allowed by ment: Nay, they will furniſh the Soldiers, I h better Proviſions, and with more Good-will, ve done for twenty Years paſt; for when a Part y is employed in fighting victoriouſly, as I hope gainſt the Enemies of their Country, the Name will then again begin to be reſpected and beloved le.

Sir, will be the Conſequence of ſending a great Army Abroad to fight againſt the Enemies of ry, inſtead of keeping them at Home to oppreſs and influence the next general Elections. But the Propoſition now made to us gives me ſome pprehend, that there is not ſo much as a Deſign great Part of our Army Abroad; and this makes

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me the more unwilling to agree to what the Honourable Gentleman has been pleaſed to propoſe; for if ſuch a Number of regular Forces be kept within the Kingdom, but for a few Years, and ſuch a Law as is now propoſed kept in Force, the Number of Public houſes will decreaſe ſo much, that it will be impoſſible to find Quarters for the Army in ſuch Houſes, and this will of courſe make Barracks abſolutely neceſſary, which will ſoon put an End to our happy Conſtitution. We muſt always have in this Kingdom a great Number of Travellers upon our public Roads: If we had no Trade, which may be the Conſequence of our late Meaſures, if not ſoon altered, yet the very Nature of our Conſtitution occaſions a greater Number of Travellers in this Kingdom, than in any neighbouring Country: The Members both of this and the other Houſes of Parliament muſt be accommodated with Lodging and Stabling, in their Journies to and from Parliament; but how ſhall they be accommodated, if every Inn they come to be full of Soldiers? Will they lie in the Streets to make room for a Lord or Member of Parliament? Will they be commonly civil to any Traveller that comes to hamper them in their Quarters? On the contrary, they do not always behave in the moſt civil manner to Travellers, even of the firſt Rank; for lately at North-Allerton they ſeized on and carried off a Reverend Prelate's Dinner, upon Pretence, that the Landlord had not provided ſufficiently for them. What Redreſs the Reverend Prelate met with, or whether he applied for any, I do not know; but he could not recover his Dinner; and this ſhews what Inconveniencies we, as well as other Travellers, may be put to, if all the Inns of any little Town we may come to upon the Road, ſhould be ſo crammed with Soldiers, as not to be able to furniſh Accommodation or Entertainment for any Traveller.

'I ſhall grant, Sir, that whilſt we keep ſuch a numerous Army within the Kingdom, and continue the modern French Practice of having ſome Part of that Army always marching and counter-marching from one End of the Kingdom to the other, under Pretence of what is called changing of Garriſons: I ſay, whilſt we do ſo, the Soldiers may often be under great Difficulties with regard to Proviſions, both upon their March, and in their ſettled Quarters, unleſs we oblige their Quarters to furniſh them at ſuch Prices, as they can afford to pay; but the moſt proper Expedient for avoiding this Inconvenience, is, in my Opinion, very obvious, which is, to ſend the greateſt Part of your Army againſt the Enemy in Time of War, and never to keep a greater Number of Troops within the Kingdom, than are abſolutely neceſ-

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ary for the juſt Ends of Government. I will undertake, that when the People know, that any Part of your Army is marching thro' the Kingdom, in order to go and fight the Enemies of their Country, they will freely and voluntarily furniſh the Soldiers with every thing neceſſary upon their March; but they are ſenſible of what is meant by changing of Garriſons, which in abſolute Governments is intended chiefly to prevent the Soldiers from acquiring any ſort of Attachment to the People amongſt whom they live, and to make them look upon themſelves, as a Body of Men quite diſtinct from the People. I cannot ſay, amongſt whom they live, but amongſt whom they ſojourn; and therefore, the People of this Kingdom moſt reaſonably complain, and reſent their being oppreſſed or incommoded with the Marching or Counter-marching of regular Troops, when they know, or at leaſt imagine it to be intended for ſuch a dangerous and arbitrary Purpoſe.

'Having thus, Sir, mentioned one Expedient, and I think the only proper Expedient, for preventing the Inconvenience complained of, I hope the Honourable Gentleman will not hereafter ſay, that there are any Gentlemen in this Houſe, who are always ſtarting Objections againſt every Expedient they hear propoſed, but never offer any Remedy or Prevention of their own. Gentlemen have Reaſon to object againſt Remedies that are apparently worſe than the Diſeaſe, eſpecially when the true Remedy is obvious; but as I am ſuſpicious, that the Remedy I have now offered will not be approved of by our chief State Phyſicians, and am for ſeeing any Remedy applied rather than that now propoſed, I muſt obſerve, that another Remedy has already been mentioned in this Debate, which I think leſs oppreſſive than what is now propoſed, and which I the rather approve of, becauſe it was made Uſe of ſoon after the Revolution. As that was a Time, Sir, which I highly approve of, I am for going as near it as poſſible, and therefore, if we muſt keep up ſuch a numerous Standing-Army as we have at preſent, and muſt keep them all at Home too, I am for doing ſomething like what was done in the Year 1696-7. In that Year, as an Honourable Gentleman has already told us, a Clauſe was inſerted in the Mutiny-Act, by which it was provided, that no Inn-holder ſhould be obliged to provide Victuals for any Soldier, if he ſhould give him 4d. a Day, beſides Candle and the Uſe of his Fire for dreſſing his Meat. As our Army is now regularly paid, we have no Occaſion for obliging the Inn-holders to advance any Money to the Soldiers quartered upon them, but if there be now an abſolute Neceſſity for any thing like what is now propoſed, I think

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think we ought to give an Option to Inn-holders, either to provide Victuals for ſuch Soldiers, at the Rate of 4d. a Day, or otherwiſe to furniſh them with Lodging, Candle, Utenſils for dreſſing their Meat, and the Uſe of their Fire, for nothing.

'Even this, Sir, will be a very great Hardſhip upon the Owners of our Public-houſes; but, I think, it will be a leſs Hardſhip than that of ſubjecting them to the arbitrary Demands of the Soldiers quartered upon them, for what they may be pleaſed to call neceſſary Proviſions. How this Expedient will do, or whether it may appear to be ſufficient for removing the Evil complained of, I do not know; but as it is a Matter of the utmoſt Importance, I think neither this nor any other Expedient ought to be raſhly gone into; for which Reaſon, I think, we ought to take ſome Days to conſider of it, and for that Purpoſe to adjourn the Committee. There is no Neceſſity for immediately commencing a Law-ſuit, in order to determine the Queſtion lately ſtarted upon this Subject. If the Neceſſity for this Determination cannot be removed, by a Diminution of our Army, I hope, we ſhall in this Houſe fall upon ſome Method for determining the Queſtion, without ſending it into Weſtminſter-Hall; for tho' I belong to Weſtminſter-Hall, yet I ſhall always be againſt People's being brought there for deciding any Queſtion. I wiſh they were not ſo apt to come there, as I find they are: It might be a Loſs to me, but it would be a Gain to the Nation; and I ſhall never deſire to increaſe my Profit at the Expence of my Country.'

B.

SIR,

B. 'We are now about reviving an expiring Law: The Meaning of that Law, as it ſtands at preſent, appears to be doubtful, as has been acknowledged by moſt Gentlemen who have ſpoke in this Debate. Can it admit of a Diſpute whether we ought to remove that Doubt, by ſome explanatory Words in the Bill now before us? Would it not be a moſt egregious Soleciſm for a legiſlative Aſſembly to enact a Law which they know to be doubtful? Let us conſider what a Number of Law-ſuits may be occaſioned before this Time Twelvemonth. You cannot, at leaſt you ought not, I think, to make a Law with a Retroſpect, and therefore you cannot put an End to theſe Law-ſuits, by any new Law to be paſſed a Year hence. Tho' you are the Makers, yet you are not by our Conſtitution the Interpreters of the Law: His Majeſty's Judges in Weſtminſter-Hall are the Interpreters, and they are ſworn to give Judgment in every Caſe that com-

ers before them, according to the Laws which were in Anno 14, Geo. II. 1740.
ing when that Caſe happened. Suppoſe now, you ſhould
t off the explaining of this Law till next Year, and 500
ctions ſhould before then be commenced upon the Doubt
ow acknowledged to be in the Law, the Explanation you
hen put upon the Law, would not put a Stop to any of theſe
Law-ſuits; becauſe the Judges might be of Opinion, that
he Words of the Law could not bear the Explanation you
had put upon them by a new Law. In all Caſes that might
happen afterwards, they would be obliged to determine ac-
cording to your Explanation; but in Caſes that had before
occurred, they would in Conſcience be obliged to determine
according to their own Opinion, even tho' contrary to what
you, *ex poſt facto*, declared to be yours.

'From hence, Sir, you may ſee, what a Multitude of
Law-ſuits may be occaſioned, and what a monſtrous Expence
may be brought upon the Subject by your delaying to ex-
plain and remove the Doubt that hath ariſen, but for one
Year longer. Surely it is our Duty to prevent Law-ſuits,
and to do ſo as ſoon as we can. The Trade of a Lawyer,
no wiſe Nation will ever encourage; and the Trade too, of
Inn-keeping, Alehouſe-keeping, or retailing of Spiritous
Liquors, does not, I think, deſerve all that Regard which
ſeems to be ſhewn to it in this Debate. But ſhould we ſup-
poſe, that they will always be at a great Loſs by furniſhing
the Soldiers quartered upon them with Diet and Small-Beer,
at the Rate of 4d. a Day, the Loſs will not fall upon them:
for by the Prices they charge they will oblige their other
Cuſtomers to make it good; and therefore, if this Loſs were
to be looked on as a Tax, it could not be conſidered as a
partial, or unequal Tax, but a Tax laid upon the whole Peo-
ple; and it muſt either be no Tax at all, or a Tax as neceſ-
ſary as any one that was ever impoſed.

'Gentlemen may cry, how! how! and ſeem ſurprized at
what I have ſaid; but if they will have a little Patience, I
will make it good. I repeat it again, Sir, that the obliging
of Inn-keepers, and ſuch like, to furniſh Diet and Small-Beer
to the Soldiers quartered upon them, muſt either be no Loſs
to, or Tax upon them, or upon any one elſe, or otherwiſe
it muſt be as neceſſary a Tax as ever was impoſed in this
Kingdom; and my Reaſon for ſaying ſo is this: If Provi-
ſions are ſo cheap, as they generally are, that an Inn-keeper
may furniſh Diet and Small-Beer to the Soldiers quartered
upon him, for 4d. a Day, and have a reaſonable Profit to
himſelf, then the obliging him to do ſo, can be no Tax upon
him or any Man elſe: On the other hand, if Proviſions
ſhould happen at any particular Time, or in any particular
Place,

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Place, to be ſo dear, that the Inn-keeper cannot furniſh Diet and Small-Beer for the Soldiers quartered upon him, at the Rate of 4d. a Day, I am very ſure, the Soldier will not be able to furniſh Diet and Small-Beer for himſelf at near that Rate; becauſe an Inn-keeper who brews his own Small-Beer, and buys great Quantities of Meat at a time, will always be able to ſell it at a much cheaper Rate than the Soldier can purchaſe it in the ſmall Quantities he has occaſion for, or can afford to buy at a time. But the Soldier has no more than 4d. a Day to beſtow upon himſelf for Diet and Small-Beer, what then can he do? He muſt either ſtarve or ſteal. The former we cannot ſuppoſe he will do; and if a great Part of the Army ſhould be brought under the Neceſſity of living by Theft or Plundering, not only our Conſtitution, but the Property of every Man in the Kingdom would then be in the utmoſt Danger.

'It has been ſaid in this Debate, that if our Soldiers cannot live upon 4d. a Day, we muſt augment their Pay; but let us conſider, Sir, that in moſt Parts of the Kingdom, and at moſt Times, a Soldier can live upon 4d. a Day; and if it ſhould be propoſed to proportion their Pay, according to the Times, and according to the Places in which they may be quartered, this cannot be done by Parliament: It muſt be left to Miniſters, and this, in my Opinion, would be a more extenſive and a more dangerous Power, than any now lodged in the Crown. There is, therefore, no other way of ſubſiſting your Army, in Time of Scarcity, which is ſeldom general, and never laſts long, than by obliging the Owners of Public-houſes to furniſh them with Diet and Small-Beer, at ſuch a Rate as their Pay will admit of. This I ſhall allow is, in Times of Scarcity, a ſort of Tax upon the Owners of ſuch Houſes, or rather, as I have ſaid, upon their Cuſtomers; but as there is no other way of ſubſiſting your Army, at ſuch Times, it is abſolutely neceſſary, and will therefore, I hope, be always patiently ſubmitted to.

'As for the Expedient found out in the Year of 1696, it was then made uſe of, becauſe our Troops kept at home neither were, nor could be regularly paid; for ſurely, Sir, it will not be thought, that the Soldier was to have 4d. a Day from the Inn-keeper, beſides his Pay from the Government; but as the Army is now regularly paid, both their Subſiſtence Money and Arrears, we have no Occaſion for ſuch an Expedient; will be far from removing the Difficulty now under Conſideration; for it will ſignify nothing to provide Fire and Utenſils for a Soldier to dreſs his Meat with, when he can get no Meat to dreſs, or none at the Price he is able to pay for it, which will often be the Caſe upon a March, and therefore,

therefore, in the Year of 1696-7, the Proviſion in Favour of Inn-holders was not extended to Soldiers upon a March; nor ought it, I think, now to be extended to Soldiers, even in the Places where they are appointed to reſide; becauſe an Inn-holder, Alehouſe-keeper, or Victualler, can always furniſh a Soldier with Diet and Small-Beer at a cheaper Rate than he can furniſh himſelf. If he refuſes to do ſo, it muſt proceed from mere Obſtinacy, or from an uncommon Dearth of Proviſions: In the former Caſe, he ought to be compelled; and in the latter, he muſt be compelled, becauſe there is no other Way of providing for the Soldier's Subſiſtence, and every Gentleman will admit, that while we have Soldiers, we muſt provide for their Subſiſtence, in Time of Scarcity as well as in Time of Plenty. In Times of Scarcity it may be a Loſs to the Inn-keeper, but, like many others, it is a Loſs which, for the ſake of the Public, muſt neceſſarily attend the Buſineſs he follows, and at no Time it can be a Hardſhip, becauſe, as the Soldier is ſubject to Martial Law, that Law will always make him not only reaſonable, but civil in his Quarters. Anno 14, Geo. II. 1740.

B.

Sir,

'I am ſurprized to hear Gentlemen ſo much as ſuppoſe, that any Multitude of Law-ſuits can enſue from leaving this Act in the very Words it ſtands at preſent, and has ſtood for ſome Years. For my own Part, I do not pretend to any deep Learning in the Law, eſpecially in the Practical Part of it; and therefore I ſhou'd be glad to know, from ſome of thoſe Gentlemen who make that Study their Profeſſion, how any more than one Law ſuit could be the Conſequence of our not explaining that Part of this Law, which is now ſaid to be doubtful. If any Suit be commenced for having this Queſtion determined, it muſt be brought, either by the Government, by way of Information, or by a Soldier, by way of Action of the Caſe upon the Statute, againſt an Inn-keeper who had refuſed to furniſh him with Diet and Small-Beer, at the Rate of 4d. a Day; and can we ſuppoſe, that our Government, or rather our moſt excellent Miniſters, would be ſo vexatious, as to bring ſeveral Informations, or to allow the Soldiers to bring ſeveral Actions, when one would be as ſufficient as five hundred, for deciding the Queſtion in Diſpute, and for preventing all farther Doubt. Whatever Opinion the Honourable Gentleman who ſpoke laſt may have of our Miniſters, I am far from having ſo bad an Opinion of them; therefore, if we ſhould leave this Queſtion undecided, the Army ſhould inſiſt upon its being decided by a Suit at Law, I am convinced, no more than one Law-ſuit could B.

Anno 14, Geo. II. 1740.

from thence enſue; and the Event of that Suit, I believe, our Inn-keepers have no Reaſon to be afraid of, becauſe I cannot think, that a Law, which ſimply obliges me to receive a Man into my Houſe, can be ſuppoſed by any impartial Man in the Kingdom to mean, that I ſhould be obliged likewiſe to maintain him.

'But, Sir, if it ſhould be determined otherwiſe: if our Judges ſhould be of Opinion, that the Law, as it now ſtands, obliges Inn-keepers and others to furniſh the Soldiers quartered upon them, with Diet and Small-Beer, at the Rate of 4d. a Day, I ſhould then be for altering the Law as ſoon as poſſible; becauſe, I think, it would lay a moſt grievous Tax upon the Owners of all our Public-houſes, a Tax which they they could not recover from their Cuſtomers, and a Tax which I think abſolutely unneceſſary. The furniſhing of Soldiers with Lodging and Houſe-room is of itſelf ſo troubleſome to Inn-keepers, that many of them give the Soldiers a Shilling or Eighteen-pence a Week, to be entirely rid of their Company; and if you ſhould further oblige Inn-keepers to furniſh the Soldiers with Diet and Small-Beer, I am perſuaded, moſt of our Inns would be glad to give the Soldiers Half a Crown or Three Shillings a Week, to provide themſelves ſomewhere elſe, rather than have Cuſtomers and Travellers baniſhed away from their Houſe, by ſeeing it always full of Soldiers.

'This, Sir, will be a moſt inſufferable Burden upon all Public-houſes; and to ſuppoſe, that this Loſs would be made good by their raiſing their Prices to their Cuſtomers, is ſuppoſing againſt Reaſon and Experience: They cannot raiſe the Price of any Liquors they ſell, which is the principal Part of their Profits; and if they ſhould make them worſe, no Man would come to purchaſe or drink them. Even as to Eatables, the Market-Price is ſo well known, that they would be look'd upon as Extortioners, if they demanded a greater Profit than uſual, which would of courſe make all their Cuſtomers forſake the Houſe; and I believe it will not be ſaid, that, even in the Times of the greateſt Plenty, a Public-houſe could ſupport itſelf upon the Profits made by the Soldiers quartered upon it.

'Now, Sir, with regard to the Neceſſity of impoſing this Burden or Tax upon the Owners of thoſe Houſes, where Soldiers are by Law allowed to be quartered, the Honourable Gentleman has, I think, given us but two Reaſons for it, and both of them I take to be without Foundation. He ſays, That the Owners of ſuch Houſes may buy cheaper than Soldiers can: Is there any Foundation for ſaying ſo? May not a Soldier buy as cheap at Market as his Landlord can? And

when

when five or ſix of them join together, as they uſually do, may not they buy as large a Joint of Meat, or as great a Quantity of Proviſions, as a common Houſe-keeper does for his Family? Sir, they will buy cheaper for themſelves, than their Landlord can for them: We know what a Difference there is between the Prices of different Joints of the ſame ſort of Meat, or between the ſeveral Species of the ſame kind of Proviſions. When Soldiers buy for themſelves, they will be contented with the coarſeſt and cheapeſt ſort; when their Landlord buys for them, they will inſiſt upon having the fineſt and deareſt. Anno 14, Geo II. 1740.

The other Reaſon aſſigned by the Honourable Gentleman for the Neceſſity he pleads for, is, that in Times of Scarcity, a Soldier cannot ſubſiſt upon 4d. a Day, and muſt therefore be ſubſiſted by his Landlord at that Price, becauſe he can afford no more. Both theſe Facts, Sir, I deny. There has never been, that I know of, ſuch a Scarcity in England, as to make it impoſſible for a Man to ſubſiſt upon 4d. a Day, if he contented himſelf with the coarſeſt ſort of Proviſions; but the Truth of the Matter, I believe, is, the Honourable Gentleman and his Friends have a Mind, that in Times of Scarcity Soldiers ſhould feed as delicately, and fare as well, as they can do in Times of the greateſt Plenty; whereas I am for their being made ſenſible of the Diſtreſſes of their Country. I likewiſe deny, Sir, that a Soldier can afford no more than 4d. a Day for Diet and Small-Beer. It is very well known, that the Soldiers in our Marching-Regiments are paid 6d. a Day by the Government; and why 2d. a Day ſhould be with-held from a poor Soldier's Pay, I can find no Reaſon, unleſs it be, that the Colonel ſhould make ſuch a profitable Contract, as to get 1000 or 1500l. by clothing his Regiment, and that all the poor Fellows ſhould appear clean ſhaved, and well powdered at a Review. For my Part, I think a Man without any Powder in his Hair, and even with a long Beard, may look as like a Soldier, and do his Buſineſs as well, as a Man with a Smock Face, and powdered Locks: and therefore I muſt think, that, of late Years, our Army has been deſigned rather to kill the Ladies, than to kill the Enemies of their Country: For this Reaſon, I am of Opinion, that if our Soldiers were put to no greater Expence than is abſolutely neceſſary for their appearing like Soldiers, and not like Beaus, a Soldier even of a Marching-Regiment might ſpare 5d. a Day for Diet and Small-Beer; and with reſpect to the Soldiers of the Foot-Guards, as they are paid 8d. a Day by the Government, I am ſurprized to hear it ſo much as inſinuated, that they cannot ſpare above 4d. a Day for Diet and Small-

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Beer; yet no Difference is, I find, to be made betwee
Soldiers of Marching-Regiments, and thoſe of the
Guards, tho' the latter can certainly afford to pay mor
Diet and Small Beer than the former; and tho' the
are generally quartered in Weſtminſter, and about Lon
where Houſe-rent and Proviſions are always dearer th
Country Places, or Cities remote from London.

'Thus, Sir, I hope I have ſhewn, that, by the C
now offered, a moſt heavy additional Tax would be laid
the Owners of our Public-houſes; that it is a Tax
they could not oblige their Cuſtomers to bear any Par
and that it is a moſt unneceſſary Tax, becauſe Soldiers
provide for themſelves not only in Times of Plenty, but
in Times of Scarcity, unleſs that Scarcity ſhould be ſo
extraordinary, as has ſeldom or never happened, and
not therefore to be made a Foundation for a general
ſtanding Regulation, which will at all Times be a Grie
upon a great Part of the People, and which may prob
diminiſh the Number of our Public-houſes, ſo as to
the Building of Barracks, or the Quartering of Sol
upon private Houſes, abſolutely neceſſary.'

C.

SIR,

C. 'As moſt of the Arguments made Uſe of againſt
Clauſe, now offered to you, have been founded upon a
poſition, that the Law, as it ſtands at preſent, does not o
Inn-keepers and others, upon whom Soldiers may be
fully quartered, to furniſh them with Diet and Small-
I ſhall beg leave to ſhew you, that the Law is otherwiſe,
that what is now offered, is nothing but an Explanation,
Enforcement of what has been Law ever ſince we had
an Act as a Mutiny-Act in this Kingdom.

'Sir, in order to find out the Meaning of the Law
now ſtands, we muſt not look to the Clauſe for obliging
Owners of Public-houſes to receive the Soldiers how
quartered upon them, becauſe that Clauſe was but lately
troduced, and muſt be explained by the other Clauſes i
Bill; but we muſt conſider what was antiently meant by
Term Quartering; and if we conſider what was anti
meant by Quartering, we muſt conclude, that the Owne
private Houſes, as well as public, were obliged to furniſ
Soldiers quartered upon them with every thing nece
according to thoſe Rules which were preſcribed by
Commanders of the Troops ſo quartered. Before the
ſtoration, we had no ſuch Thing as an Army, or any re
Troops, but in Time of War; and then, I believe, it

be allowed, that the Commanders were the only Judges, how their Soldiers were to be treated by thoſe upon whom they were quartered. If they had ready Money wherewithal to pay their Soldiers, they generally ordered them to pay ready Money for what they had; but if they could not pay their Soldiers, the Perſons upon whom they were quartered were then obliged to furniſh them, not only with Lodging, but alſo with Diet and Small-Beer, and to bring their Accounts in to the Public, in order to receive Satisfaction. This was the Practice in Time of War, before the Reſtoration; but as we began ſoon after that Period to keep regular Troops in continual Pay, and as the Officers of theſe Troops began to practiſe in Time of Peace, what had been formerly practiſed in Time of War, therefore, towards the latter End of King Charles IId's Reign, that Law which has been mentioned was made, by which it was enacted, "That Soldiers ſhould not be quartered upon any Houſe whatſoever, without the Conſent of the Owner." From the Revolution to the Year 1692, the Nation was in a State of War, and probably this Law was not obſerved; but the Tranquillity of the Nation being entirely reſtored, a new Law was made for regulating the Quartering of Soldiers, and for confining it within certain legal Bounds, without leaving it to the Diſcretion of any military Officer whatſoever. Anno 14, Geo. II. 1740.

"By that Law, Sir, the Conſtable and other Civil Officers were empowered to quarter or billet Soldiers upon Public-houſes, and upon them only, and therefore had the ſame Power granted them by Law, which the commanding Officers of the Troops had formerly aſſumed againſt Law; that is to ſay, by their billeting of Soldiers upon Public-houſes, they gave them a Right to inſiſt not only upon Lodging, but upon Diet and Small-Beer, for what they could afford for it out of their Pay; and if they received no Pay, then the Houſes upon which they were quartered were to keep an Account, and to bring their Accounts in to the Public, in order to receive Satisfaction; and to prevent all Diſputes between the Soldiers and their Landlords, the Juſtices of the Peace were ordered and empowered to ſettle the Rates of all ſuch Proviſions, as were furniſhed by the Landlords. That this was the Meaning of thoſe, who firſt gave the Conſtables a legal Power to quarter Soldiers: That by Quartering they intended, that Soldiers ſhould have Entertainment, as well as Lodging, at the Houſes where they were ſo quartered, is, I think, plain, from their limiting that Power to Public-houſes only; for if they had intended, that Soldiers ſhould have nothing but Lodging, at the Houſe were they were quartered, they could certainly have given the Conſtable Power to quarter Soldiers

Anno 14, Geo. II. 1740.

Soldiers upon all Houſes that lett Lodgings, as well as upon Inn-keepers, Victuallers, and other ſuch Houſes. And the Clauſe inſerted in the Mutiny Act, paſſed in the Year 1696, makes it evident, that it was then ſuppoſed, that the Owners of Public-houſes were by the Law, as it ſtood before, obliged to furniſh the Soldiers with Diet and Small-Beer; for if this had not been ſuppoſed, there would have been no Occaſion for inſerting a Clauſe, "That Inn keepers ſhould not be obliged to provide Meat, or any other Victuals, for any Soldier legally quartered upon them, if they ſhould give or tender to ſuch Soldiers 4d. a Day for their Subſiſtence in Meat only, beſides Candle, and the Uſe of their Fire for dreſſing Meat."

'How that 4d. a Day was to be repaid to the Inn-keepers, who did advance it to the Soldiers, I do not know; for there is no Clauſe in the Act for ordering or regulating the Repayment of it; but even ſuppoſe it was duly and regularly repaid, it was harder upon the Inn-keepers, than what is now propoſed; and yet I never heard, that it diminiſhed the Number of our Public-houſes, or that any Inn-keeper or Victualler gave up his Buſineſs upon that Account; and therefore, if the ſame Clauſe were to be revived, we ſhould have no Reaſon to apprehend any ſuch Conſequence from it. But, as our Army is now regularly paid, we have no Occaſion to oblige the Owners of Public-houſes to advance any Money to the Soldiers quartered upon them, or to give any long Credit to ſuch Soldiers. They are now, they have for ſeveral Years been, obliged to receive the Soldiers lawfully quartered upon them. In this Clauſe, the Word receive muſt certainly relate to, and be explained by the Word quartered; and if by quartering be meant the furniſhing of a Soldier with Diet and Small-Beer, as well as Lodging, the Owners of the Houſes where Soldiers are lawfully quartered, are already by Law obliged to do ſo. In this Senſe the Law has been always, till very lately, interpreted; it has for many Years been the Cuſtom to furniſh the Soldiers with Diet and Small-Beer, as well as Lodging, at the Houſes where they are quartered, and at ſuch Rates as they were able to pay. This, I ſay, has for many Years been a continued Cuſtom; and a Cuſtom founded on Law makes Law: At leaſt, Cuſtom is the beſt Interpreter of Law, and ſometimes puts a Meaning upon the Words of a Law different from what at firſt View they ſeem to bear.

'This being the Caſe, Sir, what are we now to do? We are not to alter the Law, or to eſtabliſh any new Regulations; we are only to explain and enforce what has been Law for almoſt theſe forty Years; and this we are obliged to do, by a Doubt

which ſome People have been lately pleaſed to raiſe, without any Foundation, in order to prevent People's themſelves to Law-ſuits and Penalties; for by the it ſtands now, the Owner of a Public-houſe that receive any Soldier lawfully quartered upon him, is ed by the Juſtices, in a Sum not exceeding 5l. nor os. and conſequently, if by receiving be meant the g of ſuch Soldier with Lodging, Diet and Small- 4d a Day, every Innkeeper that ſhall refuſe to do ſo, himſelf to that Penalty, and the Juſtices muſt fine the Soldier or any other Perſon comes to make the int.

hall grant, Sir, that this Doubt, which has been ſo eſily raiſed, might be determined by one ſingle Law- t, in the mean Time, a great Number of People ubject themſelves to the Penalties of the Law, and ermination of the Queſtion in Diſpute would not free om thoſe Penalties, but on the contrary would en- People to proſecute. Suppoſe a Law-ſuit were ced againſt ſome Inn-keeper that had refuſed to fur- Soldiers, lawfully quartered upon him, with Diet and Beer at a Groat a Day; that Law-ſuit could not in Months be brought to a Concluſion; in the mean many other Inn-keepers would refuſe in the ſame r; for moſt Men are apt to think themſelves in the nd to hope that the Queſtion in Diſpute will be de- d in their Favour. Then ſuppoſe that, upon the E- this Law-ſuit, it ſhould be determined, that Inn-keep- others are by the Law, as it ſtands at preſent, obli- urniſh the Soldiers, lawfully quartered upon them, with d Small-Beer at 4d. a Day, and that every Man who ſubjects himſelf to the Penalty of the Law, which, as I id, is a Fine to be impoſed by any one Juſtice of the before whom the Complaint is made, of 40s. or ſome Sum not exceeding 5l. In this Caſe, every Inn-keep- during the Controverſy, had refuſed to furniſh the a lawfully quartered upon him, with Diet and Small- would be liable to the Penalty, and to be proſecuted for re the next Juſtice of Peace.

e may from hence ſee, Sir, what a Number of Proſe- this would occaſion; for, as this Complaint might be ither by the Soldier, or by any other Perſon whatſo- and as the Juſtice of Peace, upon a full Proof, muſt at leaſt 40s. a Proſecution would certainly be brought every Man that had incurred the Penalty, either by dier that had been refuſed what he had by Law a to demand, or by ſome envious Neighbour, or Rival Tradeſman,

Anno 14, Geo II 1740.

Tradeſman. I therefore think, that what is now offered cannot in Charity be refuſed, in order to prevent People's expoſing themſelves to Penalties, which, in my Opinion, would certainly be recovered againſt them.'

Sir John Barnard.

SIR,

Sir John Barnard.

'The Honourable Gentlemen who have appeared as Advocates for this Clauſe, ſeem to ſhew a great Concern for preventing the People's involving themſelves in Law-ſuits; and I muſt ſay, they are taking a very effectual Method for doing it; for if what they propoſe ſhould paſs into a Law, the People that are to be affected by it will ſoon have nothing to contend for, which, I ſhall grant, is a moſt effectual Method for preventing their being involved in any Law-ſuit whatever. When the People are utterly undone, I ſhall admit, that this Clauſe will have the Effect of preventing their being afterwards involved in any Law-ſuit; but till then, it will have a quite contrary Effect; but if you oblige the Owners of Public-houſes to furniſh the Soldiers quartered upon them with reaſonable Proviſions, or with Diet and Small-Beer, under any Penalty to be recovered before one or more Juſtices of the Peace, there will be perpetual Diſputes between them about what is called reaſonable Proviſions, or reaſonable Diet and Small-Beer. The Soldier will carry his Complaint before ſome Juſtice whom he knows to be in his Intereſt: The Juſtice will probably fine the Landlord; and the latter will certainly ſeek Relief againſt what he thinks an unjuſt Sentence, either by Appeal to the Quarter Seſſions, or ſome more expenſive Method. Thus, Sir, the Owners of our Public-houſes will at laſt be eat up, either by the Soldiers or the Lawyers; and till then, the Clauſe now propoſed will create, inſtead of preventing Law Suits.

'This, Sir, will certainly be the Conſequence, if you lay Inn-keepers and others under an expreſs Obligation to furniſh the Soldiers quartered upon them with Diet and Small-Beer at 4d. a Day. Without any ſuch Obligation they will always do ſo, when the Soldiers are contented with what can be furniſhed at that Price; they will even furniſh a little more, or better than what can be afforded at that Price, in order to make the Soldiers eaſy in their Quarters; and the Soldier will be ſatisfied with what his Landlord provides for him, becauſe he knows, his Landlord lies under no Obligation to provide for him, and that he cannot provide for himſelf ſo well; but if you lay the Landlord under an expreſs Obligation, he will never be able to ſatisfy the Soldiers quartered upon him, unleſs he ruins himſelf by providing for them

great deal better than can be afforded for the Price
re able to pay. If he does not, there will be conti-
omplaints againſt him, and thus he muſt be ruined
y giving the Soldiers much more than he can afford,
r to prevent their Complaints, or by giving his Mo-
Lawyers for defending him againſt theſe Complaints.
ot therefore be ſaid, that this Clauſe is calculated for
ing Law-ſuits, and it is ſomething very ſtrange to ſay,
hat is now propoſed is not ſo great a Hardſhip as the
enacted in the Year 1696-7. I hope the learned Gen-
does not think, that the Money then advanced by
epers was never repaid: If this be inſiſted on, the
Act muſt be read, in order to ſee whether there was
id what Proviſion for the Repayment of that Money;
ill not, I believe, be inſiſted on: The whole was cer-
epaid by the Government as ſoon as poſſible, and de-
out of the Pay due to the reſpective Regiments. By
w, therefore, the Landlord only lay out of his Money
ort while, but loſt no Part of the Principal: By what
propoſed, he is to be obliged to furniſh Proviſions to
diers for 4d. a Day, which coſt him perhaps 6d. or
that he will certainly loſe 50 or 100 *per Cent.* of his
al Money; and that without ſo much as a Hope of
the leaſt Advantage. Can this, Sir, be ſaid to be the
ardſhip? Is it poſſible for any Man to think ſo?
hall grant, Sir, that Inn-keepers have generally pro-
r the Soldiers quartered upon them, at ſuch Prices as
ere able to pay; but I was ſurprized to hear the
Gentleman ſay, that this Practice made Law. The
e in Courts of Record may ſometimes make Law: I
it is generally look'd upon as ſuch when it has con-
the ſame for a very long Time; but will it be ſaid,
e Practice between a Landlord and his Soldier can
ake Law? It is at preſent a Practice, and it has long
Cuſtom in Southwark, among thoſe who keep Live-
les, to give the Dragoons quartered upon them ſo
Week to provide Stabling for their Horſes ſomewhere
Will any one ſay, that this Practice has made Law, or
e Owners of theſe Stables are now obliged to do ſo?
rniſhing of Soldiers with Diet and Small-Beer has
ractiſed by the Inn-keepers, becauſe they were able
; but by this Clauſe you will put an End to the Prac-
ecauſe you will render it impoſſible for them to do ſo
t ruining themſelves.
lo not pretend, Sir, to be a Lawyer, but I have con-
with ſome that are, and from them I have often
that penal Statutes are to be ſtrictly interpreted: If ſo,

Anno 14, Geo II. 1740.

I am ſure no Court in the Kingdom would think itſelf empowered to fine an Inn-keeper, for not furniſhing Diet and Small-Beer to the Soldiers quartered in his Houſe, by Virtue of that Clauſe which inflicts a Penalty upon thoſe that ſhall refuſe to receive a Soldier lawfully quartered or billetted upon him. Even ſuppoſe it ſhould be hereafter determined, upon the Event of a Law-ſuit, that receiving, means, furniſhing with Diet and Small-Beer, which I am perſuaded it never will, yet no Judge, I believe, would venture to fine a Man upon ſuch a forced and far-fetched Conſtruction, eſpecially if the Refuſal had preceded that Conſtruction's being put upon the Word by any proper Authority. We have therefore no Cauſe to fear, that a Multiplicity of Law-ſuits or Proſecutions will be the Conſequence of our refuſing the Clauſe now offered; and if the Law ſhould be left ſtanding as it is at preſent, I believe, the Inn-keepers have as little Reaſon to fear, that, upon the Event of a Law-ſuit, the Queſtion will be determined againſt them. But if it ſhould, it would then be high Time to alter the Law; for it would certainly be very hard to give the Soldier a Power of obliging his Landlord to furniſh him at 4d. a Day when Proviſions happen to be dear, and a Liberty to furniſh himſelf when Proviſions happen to be cheap.

I ſhall admit, Sir, that it may ſometimes be very hard for Soldiers to live upon 4d. a Day, and, as Things are managed, I believe, they have very little more to ſpend. At ſuch Times they muſt content themſelves with coarſe Fare. But at all Times they may ſubſiſt upon 4d. a Day. They generally do at a much cheaper Rate, becauſe half a Dozen or a Dozen of them uſually meſs together, and buy large Quantities of Proviſions at a Time. The Marines did ſo at Southampton; and there, I know, they ſubſiſted themſelves plentifully for leſs than 4d. a Day, tho' that Country is far from being the cheapeſt in this Kingdom, nor was that a Time of any extraordinary Plenty. I can therefore ſee no Neceſſity for the Clauſe propoſed, which I take to be a new and a very extraordinary Regulation; and as I think it ſhould ſubject the Public houſes in the Kingdom to great Hardſhips, and might be made a Handle for deſtroying the Liberties of the People, I muſt give my Negative to its being made a Part of this Bill.

D.

SIR,

'As I was in the Service in King William's Reign, as very well remember the Circumſtances the Army was in when the Mutiny-Act, which has been ſo often mention

in this Debate, was paſſed, I think it incumbent upon me to give you the Reaſon for inſerting that Clauſe, which gave an Option to Inn-keepers to furniſh the Soldiers quartered upon them, with Diet and Small-Beer, or to pay them 4d. a Day. In that Reign, Sir, the Government was far from being ſo flush of Money as it has been ſince. The Revolution being in its Infancy, there was but very little public Credit; for People had not forgot the ſhutting up of the Exchequer in King Charles's Reign; and therefore, even after the Parliament had granted a Fund, it was very difficult to borrow Money upon it, ſo that the Government was very often without Money, and our Troops here at Home were ſometimes for ſeveral Months without Pay. I remember the Regiment I was in was called up to London upon the Aſſaſſination Plot in the Year 1696, when we had been for eight Months without any Pay, and at laſt we were paid in Exchequer-Bills, which it was very difficult to get changed into Money, in order to divide it among the Soldiers. Anno 14, Geo. II. 1740.

'I do not know, Sir, what the Meaning of the Law was at that Time, or what it is now, for the Clauſes relating to the Quartering of Soldiers are now pretty much the ſame they were then; but I very well remember, that the Houſes upon which we were quartered, never refuſed to furniſh the Soldiers with Diet and Small-Beer, and it was then abſolutely neceſſary they ſhould do ſo, becauſe the Soldiers, and even many of the Officers, had no Money to go to Market with, and could not therefore provide for themſelves. But as many of the Inn-holders found great Inconveniencies in furniſhing and dreſſing Victuals for the Soldiers, eſpecially when they had their Houſes crowded with other Company, and as this occaſioned ſome Murmuring, the Parliament reſolved to give them all poſſible Relief, and for this Purpoſe that Clauſe was inſerted, which gave an Option to the Inn-holder, either to provide Victuals for the Soldiers, or to give them 4d. a Day to provide for themſelves. If they furniſhed Victuals they brought in each reſpective Man's Account? if they gave Money, they brought in an Account of what they had advanced, and to whom; all which Accounts were ſettled by the Commanding Officer, before the Regiment, Troop, or Company left the Place where they quartered, and theſe Accounts became a Debt upon the Government, and were reckoned as Part of the Regiment's Pay. But it cannot be ſaid that the Inn-holders loſt nothing by this Method; for the Money they advanced was ſometimes a long while before it was repaid; and as the poor Inn-holders could not always wait ſo long for their Payment, they were often obliged to ſell their Demands upon the Government at a very

Anno 14, Geo. II. 1740.

very great Diſcount, which is far from being the Caſe at preſent.

'Having thus, Sir, given you an Account of the Circumſtances of the Army, and of the Practice in King William's Time, I muſt deſire, that Gentlemen would conſider what an Inconvenience would enſue, if it ſhould be ſuppoſed, that no Inn-keeper is obliged to furniſh Diet and Small-Beer to the Soldiers quartered upon him, and if, at the ſame Time, we ſhould, by any Misfortune or Accident, be reduced to the Circumſtances we were in during King William's Reign: In that Reign if Inn-keepers had ſuppoſed they were not obliged to furniſh the Soldiers with any Thing but Houſe-room and a Bed, I am ſure, the Troops, kept here at home, muſt either have ſtarved, or lived by Plunder; and as public Credit is of a very precarious Nature, we ſhould be extremely cautious of eſtabliſhing or propagating any Maxim that would be attended with great Inconveniences, and even Danger, in caſe our public Credit ſhould fail ſo, as to make it impoſſible for our Government to pay the Troops kept at home punctually and regularly.

'What the Lawyers may mean, Sir, by Quarters, I am no Judge of; but among Soldiers we generally mean by Quarters, the Place where we are to have both Bed and Board for our Money, in caſe we find it neceſſary to inſiſt upon having both; and when we are ſent to live upon any Country, without being obliged to pay Money for what we have, we call it Free Quarters, which is certainly a very great Oppreſſion, and is ſeldom practiſed, but in an Enemy's Country; but I cannot think it any great Oppreſſion to oblige thoſe, who keep Houſes of Entertainment, to entertain Soldiers, upon their paying duly for what they have: It is really abſolutely neceſſary upon many Occaſions, becauſe Soldiers are often quartered round a Country, ſo that many of them are far from any Market-Town; and as they muſt be always at their Quarters, and ready at a Call, it is impoſſible for them to repair daily to the next Market-Town, to buy Proviſions for themſelves. Upon a March too, it will often be impoſſible for the Soldiers to provide for themſelves; and therefore, the providing for Soldiers upon a March, was made an Exception to the Option allowed to Inn-keepers by the Law in 1696.

'As to the Inconveniencies and Dangers we have been frighten'd with in this Debate, they do not at all affect me, becauſe I take them to be all chimerical. Even Barracks, which are here made ſuch a Bugbear of, are not in the leaſt frightful to me, tho' I have as great a Regard for the Liberties of my Country as any Gentleman in this Houſe. I could never

ceive how Barracks can be thought inconſiſtent with
berties of the People; for an Army of true Engliſh will
e dangerous to Liberty, whether in Quarters or in Bar-
and an Army of Foreigners would be as dangerous to
in Quarters as they could be in Barracks. The only
ce is, that an Army in Quarters is much more incon-
and troubleſome to the People, and the Soldiers not
y kept to their Duty, as when they are in Barracks;
refore, not only as a Friend to Diſcipline in the Ar-
as a Friend to the People, I ſhould chuſe to have our
always lodged in Barracks, when there is no Occa-
having them in a Camp. But the People of this
m have been taught to aſſociate the Idea of Bar-
nd Slavery ſo cloſe together, that, like Darkneſs and
vil, tho' there be no Manner of Connexion between
yet they cannot ſeparate them, nor think of the
hout thinking at the ſame Time of the other. In
it was the ſame, when Barracks were firſt erected
The People conſidered Barracks as the moſt hideous
that could be thought of; they imagined they were
downright Slaves as ſoon as theſe Barracks were
; yet now, they are perfectly reconciled to them, be-
hey find they are rather more free than they were be-
nd the Troops much leſs troubleſome to them. And
acks were erected in this Kingdom, I am convinced
nſequence would be the ſame: The People might be
a little at firſt; but they would ſoon find themſelves as
before, and much leſs incumbered with Soldiers than
ere when the Army was quartered upon them; and
ould from thence learn to ſeparate thoſe two Ideas
are now, without any Reaſon, ſo cloſely connected in
minds.

r this Reaſon, Sir, if the building of Barracks ſhould
Effect of what is now propoſed, I ſhould think it no
fect: I am perſuaded the People would find it a very
ne. But, till Barracks are built, the Soldiers muſt be
red, and as it often happens, and whilſt they are in
rs muſt often happen, to be impoſſible for them to
for themſelves, they muſt be provided for by thoſe
whom they are quartered, at ſuch Prices as they are
pay. If they ſhould demand a greater Quantity, or a
ort of Victuals than can be afforded for what they are
pay, the Landlord is not obliged to comply with their
ds, nor is the Soldier, or his Officer, but the Civil
rate, to be the Judge; becauſe, if the Soldier ſhould
himſelf not ſufficiently ſupplied by his Landlord, he
Redreſs but by a Complaint to the neighbouring
Juſtices

Anno 14, Geo II. 1740.

Juſtices of Peace, and they only are to be Judges between him and his Landlord. From hence, I think, it is evident that this Clauſe can be attended with no Oppreſſion, Extortion, or Exaction; and as it is in many Caſes abſolutely neceſſary, I therefore hope it will be agreed to.'

Mr. Pulteney.

SIR,

Mr. Pulteney.

'We are obliged to the Honourable Gentleman for explaining to us the Meaning and the Reaſon of the Clauſe in King William's Time, whereby Landlords were obliged to furniſh the Soldiers with Meat and other Victuals, or to give them 4d. a Day to furniſh themſelves. The Neceſſities of our Government, the Barenneſs of our Exchequer, the low State of Public Credit, made it abſolutely neceſſary for our Parliament at that Time to agree to ſuch an oppreſſive Expedient: But that very Expedient ſhews, that we ought not to agree to what is now propoſed; it ſhews that when Soldiers have ready Money, they may provide for themſelves, and therefore, now they have ready Money, we ought not to oblige their Landlords to provide for them. We may, it is true, Sir, be again reduced to the ſame Neceſſities we labour'd under in King William's Reign: A waſteful Miniſter, who thinks of nothing but the Period of his own Adminiſtration may ſweep the Exchequer clean; and if we take no Care to pay off, in Time of Peace, the Debts we are obliged to contract in Time of War, our public Credit muſt at laſt ſink as low as ever. If Miniſters in Time of Peace convert to the current Service, thoſe Funds that were ſet apart for paying off our Debts, in order to conceal from the People their Prodigality, or the needleſs Expences they put the Nation to, People will begin to foreſee the Diſtreſs we muſt be drove to, as ſoon as a heavy War happens; and thoſe that are wiſe, will begin in Time to draw their Fortunes out of our public Funds. This will diminiſh by Degrees our public Credit, and at laſt, when we have the greateſt Occaſion for it, we ſhall probably have none left. Theſe fatal Circumſtances we ſhould take care to prevent by our good Conduct; but ſurely, the Danger of our falling into theſe Circumſtances can be no Reaſon for ſubjecting any Part of the People to ſuch Hardſhips, as can be juſtified by nothing but ſuch Neceſſities.

'I ſay, Sir, ſuch Hardſhips as can be juſtified by nothing but ſuch Neceſſities: But in the preſent Caſe I muſt go further; I muſt ſay, that what is now propoſed, can be juſtified by no Neceſſity. It is a Hardſhip to oblige a free-born Subject to receive a Lodger into his Houſe, whether he will or no; but it is an inſufferable Hardſhip to oblige him to provide

a

s Victuals for his Lodger, whether he will or no, and
e too, which he does not approve of. This, Sir, is
ſhip, which the Parliament would not, we find, agree
a in the Year 1696, notwithſtanding the Neceſſities
vernment was then under; and the Exception then
with regard to Soldiers upon a March, was not be-
e Soldiers could not provide for themſelves, if they
n furniſhed with ready Money, but becauſe they were
kfaſt at one Place, dine at another, and ſup at a third,
Proportion to be advanced in ready Money for each
ather than furniſh them with it, could not be adjuſted
liament.

t this of providing and dreſſing Victuals for the Sol-
re are told, cannot be ſuppoſed to be a Hardſhip, be-
has been practiſed, and Inn-keepers have ſubmitted
r forty Years paſt. Sir, whilſt we had but 10 or
Men of regular Troops in the Kingdom, moſt of our
epers ſubmitted willingly to this Hardſhip becauſe
re but ſeldom expoſed to it, and when they happen-
ſo, they could bear the Expence and Trouble, be-
ey had but few Soldiers quartered upon them; but
have near 40,000 regular Troops within the King-
e Hardſhip is ſo frequent and ſo heavy, that it is im-
for them to bear it. The moſt proper Method, there-
r having this Practice continued, is to diminiſh the
r of your Troops kept at home, and this, I hope, will
on be done; for if this War continues, I hope a
Part of our Land-Army will be ſent out to attack
emy; and if the War ſhould be ended by an honour-
aty, for by no other Sort of Treaty it can be ended,
r it may be ſuſpended, I hope his Majeſty, out of his
l Affection to his People, will diſband a great Part of
ny, even tho' the Parliament ſhould not deſire it; for
expect, in my Time, to ſee a Parliament deſiring any
that may ſeem to be diſagreeable to a Miniſter.

e Practice in Times paſt is therefore, Sir, no Proof,
e providing and dreſſing Victuals for the Soldiers is
dſhip upon thoſe, who ſubmitted to it, whilſt it was
vier than they could bear; and as little is it a Proof,
Meaning of the Law is ſuch, as a learned Gentle-
been pleaſed to repreſent; or that the obliging Inn-
by Law to do what they have done without Law,
e attended with no Inconvenience. It is this very
that has made it poſſible for them to do ſo. It is
e being obliged to provide Victuals for the Soldiers
d upon them, that has enabled them to provide; be-
e Soldiers contented themſelves with a little more
than

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than they could afford for the Money: If you lay them under a legal Obligation to do ſo, the Soldiers will not be ſo eaſily ſatisfied. They are not now eaſily ſatisfied: I myſelf ſaw once in travelling, a very good Dinner dreſſing at an Inn in the Country, which, I was told, was for five or ſix Dragroons quartered there; I thought it ſufficient for much better Company, and yet the Dragoons, I was told, were not ſatisfied with it. They do not always complain, when they are not pleaſed; but they grow miſchievous, they cut the Linnen, mangle the Plates and the Diſhes, and play many other Tricks by which the Landlord ſuffers: Theſe Tricks they would practiſe in a more extravagant Degree, and much oftner, if you ſhould agree to this Clauſe. They would not go to a Juſtice to complain for want of Victuals; but by ſuch Methods they would force their Landlord to complain of them, and he could complain to none but their Officers. Whilſt they know, that their Landlord is not obliged to furniſh them Victuals, they will generally keep within ſome Bounds; but if you remove this Check, they will exceed all, which will of courſe raiſe ſuch Diſcontents, as may endanger our Government.

'As I am a Friend to our preſent Eſtabliſhment, I ſhall be for any Expedient, which I think the Subject can bear: As ſuch, I ſhall always be for preventing, as much as poſſible, any Occaſion for Mutiny in the Army, or for Diſcontents among the People; but I ſhall never be for raiſing the latter for the ſake of preventing the former, becauſe it will endanger our preſent happy Eſtabliſhment, or nail down upon us a numerous Standing-Army. Let us conſider, Sir, that we are not now upon a Bill for raiſing Money for the public Service: Againſt ſuch Bills, I think, you have laid it down as a Rule, that no Petitions are to be received; but I hope you will not ſay, that no Petitions are to be received againſt any Clauſe in this Bill. The Clauſe now propoſed will certainly have Petitions againſt it from moſt Parts of the Kingdom: The Petitioners muſt be heard: By this means, the Bill may be loſt, or delayed till after the Mutiny-Act now ſubſiſting be expired. What Confuſion would this breed in your Army? The Regiments muſt all diſband; it would be a ſort of High Treaſon to keep them together, or to exerciſe any martial Law in this Kingdom.

'Is this, Sir, a Riſk to be run, for the ſake of making an Alteration in the Law, which Experience has ſhewn the Army may ſubſiſt well enough without? I ſay, an Alteration in the Law; for notwithſtanding the Meaning put upon the Word Quarters, by the Honourable Gentleman who ſpoke laſt, and by the learned Gentleman who ſpoke ſome

tim

ofore him, I muſt inſiſt, that in this Country, the Word
ers ſignifies no more than a Lodging as convenient as
wner of the Houſe can afford. The Soldiers may,
ps, think, that it likewiſe implies all neceſſary Provi-
ns ſuch Prices as they can pay for them; but Soldiers
form Notions, and annex Ideas to Words, that are very
ifferent with the Laws of this Country, or with the Con-
n of any free Government. In this Country, how-
ver the Soldiers have not yet formed ſuch a Notion of
ers: At leaſt here in Weſtminſter, they have not; for
ever deſire any thing more than a Lodging at the
where they are quartered; nor has any of our Mu-
ſts given them Encouragement to expect more, ex-
ept in 1696; and as that Law was the Effect of Ne-
, it ceaſed as ſoon as the Neceſſity was over. It may,
ps, be neceſſary, now you have ſo great an Army on
, to oblige Landlords to furniſh the Soldiers quartered
em with the Uſe of their Fire and Kitchen-Utenſils,
ſhing and eating the Proviſions they purchaſe for
ves; but even this you ought to take Time to conſi-
; for an Army is a dangerous Tool to play with: It
not to be handled raſhly by thoſe who have a Regard
Liberties of their Country.

ſhall readily agree, Sir, with the Honourable Gentle-
hat an Army of true Engliſhmen can never be danger-
Liberty; becauſe they would diſband themſelves,
hey found they ſhould be of no Service to their Coun-
hey would ſcorn to put their Country to the Expence
aining them, when they knew it had no Occaſion
r Service. But when had we, when ſhall we have
Army? An Army of Engliſhmen has once already
ed the Liberties of this Country, and would proba-
ve perpetuated the Tyranny they had ſet up, if their
s could have agreed among themſelves; for it was
Army, but the Diſagreement among Cromwell's Ge-
after his Death, that brought about the Reſtoration of
overnment under King Charles II; and in the late
James's Time, it was not ſo much the Army, as the
gotry of that Prince, that brought about the Revolu-
or if the Army had ſeen, that they were to have
e Miniſters of that tyrannical Government he had ſet
y would probably have ſupported him in it; but they
e even they themſelves were to be the Slaves of his
and therefore many of them joined in diveſting him
arbitrary Power, which the Army in general had al-
d encouraged him to aſſume.

ſhall grant, Sir, we had at that Time the good Luck to

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have ſeveral great and eminent Patriots, who had conſiderable Intereſt and Commands in the Army: By their Means a Spirit of Liberty and Patriotiſm was preſerved in the Army; but if it had not been for the open and notorious Bigotry of the Prince, I am afraid, their Endeavours would have proved ineffectual. They would probably themſelves have joined the Prince of Orange at his landing; but they muſt have joined ſingle and alone; and in that Caſe they might, in all Probability, have fallen Victims to their own Honour and their Love for their Country. I hope, we have ſtill many ſuch Officers in our Army: I hope there is ſtill a Spirit of Liberty among the Soldiers; but whoever conſiders the inſatiable Thirſt of moſt Men after Power, the Effects of Company and Converſation upon a Man's Way of thinking, and the rapid Progreſs of Martial Law, muſt conclude, that a numerous ſtanding Army, even of national Troops, whether in Quarters or in Barracks, is abſolutely inconſiſtent with a free Government, eſpecially where the modelling and commanding of that Army depends entirely, as it does in this Kingdom, upon the Will of one ſingle Man.

'It muſt be admitted, Sir, that a ſtanding Army in Quarters will always be more troubleſome to the People, than a ſtanding Army in Barracks; but for this very Reaſon I ſhall always be for keeping our Army in Quarters, that the People may be ſenſible of the Fetters, which are preparing for them, before ſuch a Number can be forged, as may be ſufficient for ſhackling them cloſe down to the Ground. The People have ſtill a Power to prevent, or put an End to the keeping up of too numerous an Army; and I hope they will always think of exerciſing this Power before it be too late. That they may do ſo, I am for keeping our Army in their View, by having the Soldiers quartered among them. If the Soldiers were all kept in Barracks, the People would be inſenſible of their Numbers, and might not, perhaps, think of reducing them by Law till the Army grew ſo numerous, and became ſo cloſely united, as to be able to ſupport itſelf againſt Law. Therefore, Sir, whatever Friend I may be to Diſcipline in the Army, which, barring Reviews, we have had no great Occaſion for theſe twenty Years paſt, whilſt I am a Friend to the People, I ſhall think myſelf obliged to be againſt erecting Barracks, and every thing that may in the leaſt contribute towards its being neceſſary for me to erect any ſuch; and conſequently, I muſt be againſt the Clauſe now propoſed.'

Adjourned the further Conſideration till Thurſday.

Ordered, That the proper Officers do lay before the Houſe, an Account of what Perſons were authorized by

his Majeſty Queen Anne, under her Royal Sign Manual, or by the Commiſſioners of the Admiralty, to receive and conduct ſuch Seamen and Seafaring Men as ſhould be taken up in purſuance of an Act, 4th Queen Anne, for the Encouragement and Increaſe of Seamen, and for the better and ſpeedier Manning her Majeſty's Fleeet: And alſo what Applications were made by ſuch Perſons to the Juſtices of the Peace, and other chief Officers, for cauſing privy Searches to be made in purſuance of the ſaid Act; and an Account of the Number of Seamen which were returned to the Navy in purſuance of ſuch Applications and privy Searches; and likewiſe the Charge attending the ſame.

The 25th. Agreed to the Report of the Bill to prevent Inconveniencies ariſing by Delays of Cauſes after Iſſue joined, with ſeveral Amendments: Ordered it to be engroſſed.

Received an Account ſhewing the Progreſs of the Colony of Georgia in America from its firſt Eſtabliſhment. And alſo the general Account of the Truſtees for eſtabliſhing the ſaid Colony, of all Monies and Effects received and expended by them from the 9th of June, 1732, (the Date of their Chapter) to the 9th of June, 1740, as exhibited purſuant to the Direction of their Charter *.

The 26th. Received a Petition of the Clothiers of Stroudwater, in Glouceſterſhire, complaining of ſeveral great Abuſes of late introduced, and particularly of the Licence taken by many Perſons of ſetting up in the Clothing Trade, without having either ſerved a lawful Apprenticeſhip to the ſame, or having proper Skill in the Manufacture; and therefore praying, that Leave may be given to bring in a Bill for the further Regulation of the Clothing Trade; that ſuch further Relief may be given as to the Houſe ſhall ſeem meet. Referred to the Committee of the whole Houſe on Wool, &c.

Read a third time, and paſſed the Bill to prevent Inconveniencies ariſing from Delays of Cauſes after Iſſue joined: Ordered it to the Lords.

Read a ſecond time, Bill to explain an Act 12th Queen Anne, for providing a Reward for the Diſcovery of the Longitude, &c.

In a grand Committee, went thro' the Bill for puniſhing Mutiny and Deſertion, with ſeveral Amendments †.

* *A Number of Copies are ordered to be printed for the Uſe of the Members.* † *A new Clauſe was added, viz. If any Officers, &c. on whom any Non-Commiſſion Officers or Soldiers ſhall be quartered, (except on a March) ſhall deſire it, he may furniſh*

Anno 14. Geo. II. 1740. The 27th. Read a ſecond time, a Bill to explain ſo much of an Act 6th of King George I. for the better ſecuring certain Powers and Privileges intended to be granted by his Majeſty, by two Charters for Aſſurance of Ships and Merchandizes at Sea, and for lending Money upon Bottomry; and for reſtraining ſeveral extravagant and unwarrantable Practices therein mentioned, as relate to the extravagant and unwarrantable Practices therein mentioned, which gave Riſe to the following Debate.

Sir John Barnard.

SIR,

Sir John Barnard.

'There cannot be brought before this Houſe any Queſtions more difficult in themſelves, more entangled with a Multiplicity of Relations, or more perplex'd with an endleſs Diverſity of Circumſtances than thoſe which relate to commercial Affairs; Affairs on which the moſt Experienc'd often diſagree, and on which the moſt Sagacious may deceive themſelves with erroneous Conjectures.

'There are no Queſtions, Sir, which require ſo much perſonal Knowledge of the Subject to which they relate, nor is there any Subject with which ſo few Gentlemen in this Houſe have had Opportunities of being acquainted. There are no Queſtions, Sir, which their Variety of Relations to different Perſons expoſes to be ſo eaſily miſrepreſented without Detection, nor any in which the Oppoſition of particular Intereſts, ſo much incites a falſe Repreſentation. In all theſe Caſes, Deceit is eaſy, and there is a ſtrong Temptation to deceive.

'Nor are theſe Queſtions, Sir, always perplexed by intentional Fraud, or falſe Aſſertions, of which they that utter them are themſelves conſcious.

'Thoſe who deceive us, do not always ſuppreſs any Truth of which they are convinced, or ſet Facts before us in any other Light, than that in which themſelves behold them; they for the moſt Part err with an honeſt Intention, and propagate no Miſtakes but thoſe which they have themſelves admitted.

'Of this kind, Sir, are doubtleſs the Meaſures propoſed in the Bill before us, which thoſe by whom they are promoted, may eaſily think to be of Benefit to the Public, but which,

furniſh them only with Candles, Vinegar and Salt, and Small Beer or Cyder, three Quarts a Day gratis, and to allow them Fire and Utenſils for Dreſſing and Eating their Meat; or elſe take 4d. per Diem, and find them in every Thing.

believe, will appear the Reſult of imperfect Views, Anno 14, Geo. II. 1740.
al Conſideration.

great and fundamental Error, Sir, of the Patrons
ill, ſeems to be an Opinion, that the Practice of
s not known to other Nations, nor can be carried
r other Place, and from this Principle they deduce
nces, which, if they were inevitably certain, might
uence us to an immediate Approbation of the Bill,
ry to ſecure our Commerce, and diſtreſs our Ene-

r conclude, Sir, with ſufficient Juſtneſs, that very
hants would hazard their Fortunes in long Voy-
iſtant Commerce, or expoſe themſelves to the Dan-
'ar, without Security, which Inſurances afford them,
g perſuaded themſelves that ſuch Security is to be
from no other Nation, they imagine that we might,
iting it, confine all the foreign Veſſels in their
d deſtroy by one Reſolution the Trade of both our
nd our Enemies.

our Eaſt-Indian Company may deſire the Ratifica-
is Bill, I cannot deny, becauſe they might perhaps
om it ſome temporary Advantage by the ſhort In-
cies which thoſe whom they conſider as the Enemies
Commerce would feel from it. They may deſire
the Experiment, if it fails, as it muſt, cannot injure
d if it ſucceeds, may produce great Advantages to
ey may wiſh it, becauſe they will feel the imme-
efit, and the Detriment will fall upon others.

not enquire whether our Merchants are inclined to
Malevolence on all thoſe who cultivate the ſame
of Commerce with themſelves, tho' they have
he Violation of natural Rights, nor the Infringe-
National Treaties to complain of. I ſhould be un-
ſuſpect a Britiſh Merchant, whoſe Acquaintance
Conſtitution of his own Country ought to ſhew him
e of Liberty, who ought to be above narrow
by the Knowledge which his Profeſſion enables
ain, of a Deſire to encroach upon the Rights of
to engroſs the general Benefits of Nature, and ſhall
rve, that ſeveral other Nations can plead a Claim
ſt-Indian Trade, a Claim of equal Validity with
That the Danes have their Settlements there, and
Parliament diſcovered the way to thoſe Regions of
from which ſome perhaps are inclined to exclude

nothing is more vain than to attempt to exclude
refuſing to enſure their Ships, becauſe the Opinion
that

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that they can be insured by no other Nation is entirely without Foundation. There are, at this Time, Offices of Insurance along the whole Coast of the Midland Sea, among the Dutch, and even among the French. Nothing can debar any Nation from the Trade of Insurance but the Want of Money, and that Money is not wanted by Foreigners, for this Purpose, appears from the great Sums which they have deposited in our Funds.

'That this Trade is now carried on, chiefly by this Nation, tho' not solely, is inconteſtible; but what can be inferred from that, but that we ought not to obſtruct our own Gain; that we ought not to make a Law to deprive ourselves of that Advantage, of which either favourable Accidents or our own Sagacity have put us in Poſſeſſion.

'For this Reaſon it appears, that it would not contribute to the Wealth of the Public to debar us from inſuring the Ships, even of thoſe with whom we are at War, for it is always to be remembered that they will receive no Detriment from ſuch Prohibitions, nor will feel any other Conſequence from them than a Neceſſity of transferring to ſome other Nation the Profit which we receive from it.

'What the Profit is which ariſes to the Nation from the Trade of Inſurance, it is not poſſible exactly to determine; but that the Trade is really advantagious may be reaſonably conceived, becauſe after many Years Experience it is diligently followed, and a Law was never neceſſary to prohibit the Purſuit of a Buſineſs, by which nothing was to be gained. But could the Gain of the Inſurer be a doubtful Point, there is a certain Advantage to the Nation by the Money paid for Commiſſion, Brokerage, Stamps, and the Credit of the Premium depoſited here.

'I might add, Sir, another conſiderable Sum yearly ariſing to the Government from the additional Letters, occaſioned by this Trade, which increaſe the Revenues of the Poſt-Office, without any Deduction for additional Charge.

'That the Loſs of this Profit, and the Gain of inſuring, will enſue upon the Ratification of this Bill, cannot be denied; nor does it appear, that this Loſs will be counterbalanced by any Advantages that will be gained over our Rivals or our Enemies.

'Whether this Bill, Sir, would produce to the Merchants of that City by which it is promoted, the Advantages which they expect from it, or remove any of the Grievances of which they complain, I am not able poſitively to determine; but know, that it is not uncommon for Merchants, as well as other Men, to confound private with public Grievances, and to imagine their own Intereſt the Intereſt of the Nation.

With

' With regard, Sir, to the Practice of inſuring, Intereſt or no Intereſt, as the Term is, when an imaginary Value is put upon the Ship or Cargo, often much above its real Worth, it cannot be denied, that ſome Opportunities may be given by it for wicked Practices. But there will always be Circumſtances in which there can be no Security againſt Frauds, but common Faith; nor do I ſee how we can ſecure the Inſurers againſt the Poſſibility of being defrauded. Anno 14, Geo. II. 1740.

' I cannot indeed diſcover, Sir, how this Method of inſuring can be prevented; for how can the Value of a Cargo be eſtimated, which is to be collected in a long Voyage, at different Ports, and where the Succeſs of the Adventures often depends upon lucky Accidents, which are indeed always hoped for, but ſeldom happen. An imaginary Value muſt therefore be fixed upon, when the Ship leaves the Port; becauſe the Succeſs of that Voyage cannot be foreknown, and the contracting Parties may be ſafely truſted to ſet that Value, without any Law to direct or reſtrain them.

' If the Merchants are oppreſſed by any peculiar Inconveniencies, and can find means of redreſſing them without injuring the public Commerce, any Propoſal for that Purpoſe ought to be favourably received; but as the Bill now before us propoſes general Reſtraints, and propoſes to remove Grievances, which are not felt, by Remedies, which thoſe, upon whom they are to operate, do not approve, I think it ought not to be referred to a Committee, but rejected.'

Mr. Southwell.

SIR,

' When I firſt propoſed this Bill to the Houſe, I lamented the Abſence of that Honourable Gentleman, from whoſe Diſcuſſions and Arguments I expected great Information; and for whoſe Judgment, in all commercial Queſtions, I have the higheſt Eſteem, as his Penetration not only enables him to diſcover the Conſequences of Methods which have not yet been tried, but as his extenſive Acquaintance with many Branches of Trade, cannot but have informed him of the Succeſs of many Expedients tried, as well in other Nations as our own, for the Advancement of it. Mr. Southwell

' Trade, Sir, is a Subject, of which it has been juſtly obſerved, that very few Gentlemen have attained Knowledge ſufficient to qualify themſelves to judge of the Propriety of any new Regulation; and I cannot but confeſs, that I have no uncommon Skill in theſe Queſtions. What I have to offer on this Occaſion, has been ſuggeſted to me, not ſo much by my own Obſervations, as by the Intelligence which I have very induſtriouſly ſought, and by which, as I endeavoured

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voured to enquire of thoſe whoſe Opinion was leaſt likely to be perverted by their Intereſt, I hope I have not been miſled.

'The Merchants, Sir, to whom it has been my Fortune to apply, have generally concurr'd in the Opinion that the preſent Practice of Inſuring, is prejudicial to our Commerce, nor have I found any Diſagreement between my Conſtituents, and the Traders of the great Metropolis.

'I am unwilling to imagine that there can be any Evil, for which the Wiſdom of this Aſſembly cannot diſcover a Remedy, and am therefore of Opinion, that if the Grievance is real, ſome Expedient may be diſcovered for removing it, and that it is real, I cannot but be convinced by the Declarations of ſo many Men, who can have no Intereſt in complaining when they ſuffer nothing, and whoſe known Abilities exempt them from the Suſpicion of imputing any Part of their Uneaſineſs to a Cauſe which cannot produce it.

'The Bill before us, Sir, requires, in my Opinion, ſome Amendments, and in its preſent State, might, perhaps, produce more Detriment than Advantage, but ſince it is neceſſary, at leaſt, to attempt ſomething for the Relief of Men ſo uſeful to this Nation, it appears to me neceſſary to form a Committee, and to deliberate on this Subject with more Attention.

E.

Sir,

E. 'Though I am not of Opinion that the Bill in its preſent State ought to be paſſed into a Law, yet I am far from think it ſo imperfect as not eaſily to be amended, and therefore am deſirous that it ſhould be conſider'd in a Committee.

'I have not, indeed, Sir, often obſerved, that Bills injudiciouſly drawn up at firſt, have received great Improvements from a ſecond Conſideration, and have found it more eaſy to form a new Bill, than to make Alteration in one that is laid before us; for ſome original Error will commonly remain, and the Sentiments of different Men, purſuing different Views, can ſeldom be modelled into one conſiſtent Scheme. But I am far from conſidering this Bill, as one of thoſe that cannot be amended, for I can diſcover but few Objections to the Regulations propoſed in it, and thoſe not relating to any of the eſſential Parts, but ſlight and circumſtantial, ſuch as will eaſily be removed, or perhaps anſwered.

'The Grievance, Sir, for which this Bill propoſes a Remedy is ſo generally known, and ſo univerſally lamented, that, I believe, there is not any thing more worthy of the Attention of the Legiſlature than an Enquiry into the Cauſe of it, and the proper Method of redreſſing it.

'In

ur Enquiry into the Cauſes of this Obſtruction of Anno 14. Geo. II. 1740.
I am of Opinion, Sir, that the Practice of Inſuring,
r no Intereſt, will appear to be the Foundation of
ral Uneaſineſs, will be found a Practice of ſo natu-
dency to Fraud, and ſo eaſily ſuſceptible of diſhoneſt
, that I believe, every Member of this Houſe will
Suppreſſion.

confirm my Aſſertion, Sir, and illuſtrate the Queſtion
, I ſhall mention ſome particular Inſtances of Fraud
this Cuſtom has given Occaſion, of Fraud ſo evident
eteſtable that it cannot be related without Indignation.
Royal George was a large Ship belonging to the
a Company, which having been a Voyage to Vera
ut in at Zamenghol in her Return; and being there
o proceed on her Voyage homewards, ſet ſail, and
thin a Week's Sailing of the Port, when, upon a
the Officers entered into a Conſultation, and deter-
n go back a Month's Voyage to Antigua, for what
Sir, may be eaſily gueſſed; when it was told that the
s inſured upon a ſuppoſed Value of 60,000l.

is Reſolution, Sir, was no ſooner formed, than Or-
re given to change the Courſe and ſteer to Antigua, in
ion to all the Remonſtrances of the Carpenter, who
roper Judge of the Condition of a Veſſel, and who
with Honeſty and Reſolution againſt their whole
re. But they purſued their new Scheme without any
o his Murmurs or Aſſertions; and, when they arrived
gua, found ſome Method of influencing the Officers
Iſland to declare the Ship unfit for the Proſecution of
yage.

eir Deſign, Sir, was now happily completed. To
the Determination which had been pronounced in
vour, they ſtranded the Ship upon a Bank of Sand,
out the Iron that grapples the Timber together, and
firſt taken away the Maſts and Rigging, and what-
ſe could be uſed or ſold, threw the Ballaſt to each End,
broke the Veſſel in the middle.

this well-contrived Shipwreck, having as they ima-
raiſed their Fortunes, they came Home triumphantly
their proſperous Voyage, and claimed the Money for
the Ship was inſured. The Inſurers, ſtartled at ſuch a
nd ſo unexpected, enquired into the Affair with all the
ry which its Importance might naturally incite, and,
me Conſultation, determined to try whether the Ship
not be refitted and brought to England.

n purſuance of this Reſolution, they ſent Workmen and

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Materials, and without much Expence, or any Difficulty, brought it hither.

' I believe, Sir, this Relation is ſufficient at once, to prove the Practice, and explain the Nature of the Frauds to which this Method of Inſurance gives Occaſion; but as the frequency of them is ſuch, that many Inſtances may be produced, I ſhall offer another ſhort Narrative of the ſame kind.

' A Ship that belonged to the Eaſt-India Company, inſured after this Method, was run aſhore by the Captain, in ſuch a manner that he imagined none but himſelf able to recover it; and therefore, tho' it coſt 5000l. ſold it for 500l. but the Purchaſer, no leſs expert than the Captain, found means very ſpeedily to diſengage it, to reſtore it to a proper Condition with little Expence, and was much enriched by his fortunate Bargain.

' I cannot but obſerve, Sir, that this kind of Fraud is the more formidable, as it may be practiſed without a Poſſibility of Detection; had the Captain, inſtead of ſtranding, deſtroyed his Veſſel, how could his Wickedneſs ever have been diſcovered? Or how could the South-Sea Company's Ship have been brought Home, had it been ſunk in ſome diſtant Corner of the World?

' This Practice, Sir, and the Frauds which it has occaſioned, and the Suſpicions which the eaſy Practice of Frauds always creates, have produced ſo many Trials, and filled the Courts of Juſtice with ſuch intricate Contentions, that the Judges, who know perhaps nothing of this Practice but from its Effects, have often declared it to be ſo pregnant with Conteſts and Cheats, that it ought not to be ſuffered, and that a Law for ſuppreſſing it, would much contribute to the Eſtabliſhment of Peace, and the Security of Property.

' I am not inſenſible, Sir, of the Force of the Argument made uſe of by the Honourable Gentleman who ſpoke in favour of this Practice, and cannot but allow it that Regard which his Reaſonings always deſerve; it is the ſtrongeſt, and perhaps the only Argument, that can be produced. His Aſſertion of the Impoſſibility of eſtimating the real Value of a Ship, or of foreknowing the Succeſs of a Voyage, is inconteſtible: But perhaps it will follow from thence, not that an imaginary Value ought to be admitted, but that no Inſurance ought to be allowed, where there is no rational Method of aſcertaining it; or at leaſt, that all ſuch Inſurance ought to be rather below the probable Value than above it.

' If the Grievance complained of, has been proved not to be imaginary, we ought doubtleſs to conſult how it may be remedied; nor do I believe that our Conſultations will be ineffectual,

effectual, if we engage in them, not with an Intention to perplex, but to inform each other. I am of Opinion, Sir, that the Importance of the Queſtion requires a Committee; nor can I diſcover any eſſential Defect in the Bill, which ſhould hinder it from paſſing into a Law.'

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Mr. Burrel.

SIR,

Mr. Burrel.

'I am convinced by Experience, as well as Reaſon, that ſo many Inconveniencies ariſe from this Method of Inſurance, that it affords ſo many Opportunities of Fraud, and gives ſuch Encouragement to Negligence, that I ſhall willingly concur in any Meaſures that may effectually ſuppreſs it.

'It is, Sir, too well known to require Proof, that Intereſt is the Parent of Diligence, and that Men attend to the Performance of their Duty, in Proportion as they muſt ſuffer by the Neglect of it; and therefore, every Practice that deprives Honeſty of its Reward is injurious to the Public.

'But that this is the Conſequence of eſtimating Ships at an imaginary Value in the Offices of Inſurance, is to the higheſt Degree evident. When a Ship is eſtimated above its *real* Value, how will the Commander ſuffer by a Wreck, or what ſhall reſtrain him from deſtroying his Veſſel, when it may be done with Security to himſelf, except that Integrity, which indeed ought to be generally diffuſed, but which is not always to be found, and to which few Men think it ſafe to truſt upon Occaſions of far leſs Importance?

'To ſhew, Sir, that I do not indulge groundleſs Suſpicions, or magnify the bare Poſſibility of Fraud into Reality; that I do not blacken human Nature, or propoſe Laws againſt Wickedneſs that have not yet exiſted, it may be proper to mention ſome Letters, in which I have been informed by my Correſpondent at Leghorn, of the State of the Ships which have arrived there: Ships ſo weakly manned, and ſo cautiouſly, or negligently ſtored; ſo much decayed in the Bottoms, and ſo ill fitted with Rigging, that he declares his Aſtoniſhment at their Arrival.

'It may deſerve our Conſideration, Sir, whether the Succeſs of the Spaniſh Privateers may not be in great Part attributed to this pernicious Practice; whether Captains, when their Veſſels are inſured for more than their Value, do not raſhly venture into known Danger? Whether they do not wilfully miſs the Security of Convoys? Whether they do not direct their Courſes where Privateers may moſt ſecurely ſeize? Whether they do not ſurrender with leſs Reſiſtance than Intereſt would excite? And whether they do not raiſe

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Clamours againſt the Government for their ill Succeſs, to avoid the Suſpicion of Negligence or Fraud.

'That other Frauds are committed in the Practice of Inſuring, is well known to the Honourable Gentleman who ſpoke againſt the Bill: It is a common Practice to take Money upon Bottomree, by way of Pledge for the Captain's Fidelity, and to deſtroy this Security by inſuring the real Value, ſo that the Captain may gain by neglecting the Care of his Veſſel, or at leaſt ſecure himſelf from Loſs, and indulge his Eaſe or his Pleaſure, without any Interruption from the Fear of diminiſhing his Fortune.

'The whole Practice of Inſurance, Sir, is in its preſent State, I believe, ſo perplexed with Frauds, and of ſuch manifeſt Tendency to the Obſtruction of Commerce, that it abſolutely requires ſome legal Regulations.'

Sir John Barnard.

SIR,

Sir John Barnard.

'Of Frauds in the Practice of Inſurance, with regard to which the Honourable Gentleman has appealed to me, I can confidently affirm, that I am totally ignorant: I know not of any fraudulent Practices openly carried on, or eſtabliſhed by Cuſtom, which I ſuppoſe are meant: For with regard to ſingle Acts of Fraud, committed by particular Men, it is not to be ſuppoſed but that they have been detected in this, as in all other Branches of Traffic; nor can I conceive that any Argument can be drawn from them againſt the Practice; for, if every Part of Commerce is to be prohibited, which has furniſhed Villains with Opportunities of Deceit, we ſhall contract Trade into a narrow Compaſs.

'With regard, Sir, to the Inſtance of the Royal George, tho' the Proceedings of the Officers are not wholly to be vindicated, yet Part of their Conduct is leſs inexplicable than it has been repreſented. Their Return to Antigua when they were bound for England, and were within a Week's ſailing of their Port, is eaſily to be defended, if the Wind was contrary to their intended Courſe; for it is not difficult to conceive that they might reach a diſtant Port with a favourable Wind, much ſooner than one much nearer, with the Wind againſt them.

'I have always obſerved, Sir, that the Gentlemen engaged in the Trade to the Eaſt-Indies, aſſume an Air of Superiority, to which I know not what Claim they can produce, and ſeem to imagine, that their Charter gives them more extenſive Knowledge, and more acute Sagacity, than falls to the Lot of Men not combined in their Aſſociation.

'But

however theſe Gentlemen may diſapprove my Ar- Anno 14, Geo.
and however they may miſrepreſent them, I ſhall II. 1740.
ed, that they will have with the Diſintereſted and
l their juſt Weight, and that this Affair will not
y determined upon an imperfect Examination."

bert Walpole.

r.

ether the Merchants are ſatisfied with the preſent Sir Robert
of Inſuring, or what is the Opinion of any ſeparate Walpole.
Men, I think it abſolutely unneceſſary to enquire.
onſtituted for the public Advantage, and are engaged
arliamentary Character to conſider, not the private
of particular Men, but the general Advantage of our

ur Purſuit, Sir, of national Intereſt, we ſhould be o-
equently to oppoſe the Schemes which private Men,
te Fraternities have formed for their own Advantage,
h they may be expected to defend with all their Art;
uſe every Man is unwilling to imagine that the Pub-
ll and his own are oppoſite, and becauſe it is to be
at many may conſider the Public only in Subordina-
emſelves, and be very little ſollicitous about the ge-
oſperity of their Country, provided none of the
s which afflict it extend their Influence to them-

are, in the Diſcuſſion of this Queſtion, Sir, to conſi-
we are engaged in a War againſt a Nation from
ſults, Depredations, Oppreſſions, and Cruelties,
n long complain'd of, and againſt which we are
to act with a Reſolution proportioned to the In-
have ſuffered, and to our Deſire of Vengeance. We
ctiſe every Method of diſtreſſing them, and to pro-
Succeſs of our Arms even at the Expence of preſent
the Intereſt of private Men.

well known, Sir, to all who have either heard or
e Spaniards, that they live in Careleſſneſs and In-
neglect all the natural Advantages of their own
deſpiſe the Gain of foreign Commerce, and depend
n their American Settlements, for all the Conveni-
d perhaps for moſt of the Neceſſaries of Life.

is the particular Circumſtance that makes a War
land ſo much to be dreaded by them. A Nation
o them by Sea holds them beſieged, like a Garriſon
d by an Army, precludes them from Supplies, in-
heir Succours, and if it cannot force their Walls by
Attack,

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Attack, can at leaſt by a Blockade ſtarve them to a Capitulation.

‘ Thus, Sir, by a Naval War with an Enemy of ſuperior Strength, they muſt at length be ſubdued, and ſubdued perhaps without a Battle, and without the poſſibillity of Reſiſtance; againſt ſuch an Enemy, their Courage, or their Diſcipline is of no Uſe; they may form Armies indeed, but which can only ſtand upon the Shore, to defend what their Enemies have no Intention of invading, and ſee thoſe Ships ſeized in which their Pay is treaſured, or their Proviſions are ſtored.

‘ Such, Sir, is our natural Superiority over the Spaniards, a Species of Superiority that muſt inevitably prevail, if it be not defeated by our own Folly; and ſurely a more effectual Method of defeating it, the Spaniards themſelves could not have diſcovered, than that of inſuring their Ships among our Merchants.

‘ When a Ship thus inſured is taken, which, notwithſtanding all Precautions muſt ſometimes happen, we examine the Cargo, find it extremely valuable, and triumph in our Succeſs; we not only count the Gain to ourſelves, but the Loſs to our Enemies, and determine that a ſmall Number of ſuch Captures will reduce them to offer us Peace upon our own Terms.

‘ Such are the Concluſions which are made, and made with Reaſon, by Men unacquainted with the ſecret Practices of our Merchants, and who do not ſuſpect us to be ſtupid enough to ſecure our Enemies againſt ourſelves, but it is often found, upon a more cloſe Examination, that our Ships of War have only plundered our Merchants, and that our Privateers may indeed have enriched themſelves, but impoveriſhed their Country. It is diſcovered, that the Loſs of the Spaniards is to be repaid, and perhaps ſometimes with Intereſt, by the Britiſh Inſurers.

‘ If it be urged, that we ought not to enact any Laws which may obſtruct the Gain of our Fellow Subjects, may it not be aſked, why all Trade with Spain is prohibited, may not the Trade be equally gainful with the Inſurance, and may not the Gain be more generally diſtributed, and therefore be more properly national?

‘ But this Trade was prohibited, becauſe it was more neceſſary to our Enemies, than ourſelves; it was prohibited, becauſe the Laws of War require, that a leſs Evil ſhould be ſuffered to inflict a greater; it is upon this Principle that every Battle is fought, and that we fire our own Ships to conſume the Navies of the Enemy.

‘ For this Reaſon, Sir, it appears to me evident beyond Contradiction, that the Inſurance of Spaniſh Ships ought to be

ccidental Abuſes.
l by Foreigners, the Nation
ected; but, even in that Caſe,
e private Intereſt of the In-
y ruined, is a ſufficient Securi-
not, Sir, be conceived that any
on a Buſineſs, by which he be-
that, when he deſiſts, he will be
cannot but know that he engages
in Ruin.
Affair is, that Frauds are, indeed,
for that Reaſon always ſuſpected,
hen they inſure the Ship and Cargo
, among other Chances, the Proba-
and proportion their Demands, not
nd Danger of the Voyage, but to the
the Man with whom they contract
ays the Practice of thoſe whom Experi-
inted with the Danger of implicit Confi-
ting Credulity, nor do any but the Young
r themſelves to be ſo expoſed to Frauds,
nes ſhould be injured, or the general Gain
over-balanced, by a few Deceits.
appears, that, notwithſtanding the Eaſe and
hich the preſent Methods of Inſurance admit
Inſurers, by a proportionate Degree
om being injured, and by con-

is now to be conſidered,

Anno 14, Geo II. 1740.

and ought therefore to be prohibited, for every Reaſon that can be urged againſt Games of Chance.

'With regard to this Bill in general, it is in my Opinion highly neceſſary, nor can I diſcover any important Objection that can be made againſt it. Some Law of this kind, and to this Purpoſe, I have long intended to offer to the Conſideration of this Aſſembly, and ſince it is now before us, I think we ought to conſider it with the Attention, which may be juſtly expected from us.'

Lord Baltimore.

SIR,

Lord Baltimore

'I know not how properly the Practice of Inſuring may be termed a Species of Hazard; nor do I think any thing more is to be conſidered, than whether the Game be gainful to the Nation, or not; for I cannot diſcover that there is any Abſurdity in enriching ourſelves at the Expence of other Nations, whether Enemies or Allies. That we ought to prefer the general Good to the Advantage of Individuals, is undoubted; but I cannot conceive that, in this Caſe, there can be any Oppoſition between private and public Intereſt. If our Inſurers gain by ſecuring the Ships of our Enemies, the Nation is benefited, for all national Gain muſt circulate thro' the Hands of Individuals.

'No Man will aſſert that we ought to aſſiſt our Enemies, nor will any Man imagine that we aſſiſt them by impoveriſhing them; and if our Inſurers gain by their Practice, the Spaniards muſt undoubtedly be Loſers.'

Mr. Willimot.

SIR,

Mr. Willimot.

'I have converſed on the Queſtion to which this Bill relates, with Men engaged in various kinds of Traffic, and who have no common Intereſt but that of their Country. I have diſperſed among the Merchants, moſt eminent for their Acquaintance with the whole Extent of Commerce, and for their Knowledge of the true Intereſt of the Nation, Copies of this Bill, and cannot find any of them ſo ſenſible of the Grievance, of which we have ſo loud Complaints, as to deſire that it ſhould be redreſſed by the Meaſures now propoſed.

'That Frauds are practiſed on every Side, in this, as well as in other Trades, the general Corruption of our Age gives us ſufficient Reaſon to ſuſpect; but what is common to every ſort of Traffic, cannot be produced as an Argument for the Prohibition of any.

'That

hat the Practice of inſuring an imaginary Value, may
pportunity for greater Frauds than can be practiſed
mon Dealings, is likewiſe evident, but I cannot diſco-
ch Frauds as to require the Interpoſition of the Legiſla-

f they are practiſed only by thoſe of our own Nation,
blic does not ſuffer; for Property is only transferred
ne Subject to another; the Fraud ought indeed to be
y puniſhed in the Courts of Criminal Juſtice, but the
n which gave the Opportunity of practiſing it, ought
be reſtrained, any more than any other Profeſſion not
al in itſelf, but liable to accidental Abuſes.

our Inſurers are defrauded by Foreigners, the Nation
, indeed, more nearly affected; but, even in that Caſe,
be remember'd, that the private Intereſt of the In-
who muſt be immediately ruined, is a ſufficient Securi-
the Public. For it cannot, Sir, be conceived that any
will obſtinately carry on a Buſineſs, by which he be-
every Day poorer; or that, when he deſiſts, he will be
ded by another, who cannot but know that he engages
t Traffic to his certain Ruin.

he true State of this Affair is, that Frauds are, indeed,
committed, and are for that Reaſon always ſuſpected,
at the Inſurers, when they inſure the Ship and Cargo
Accidents, reckon, among other Chances, the Proba-
of being cheated, and proportion their Demands, not
the Length and Danger of the Voyage, but to the
ter likewiſe of the Man with whom they contract
his, Sir, is always the Practice of thoſe whom Experi-
as made acquainted with the Danger of implicit Confi-
and unſuſpecting Credulity, nor do any but the Young
nſkilful ſuffer themſelves to be ſo expoſed to Frauds,
their Fortunes ſhould be injured, or the general Gain
r Buſineſs over-balanced, by a few Deceits.

hus it appears, that, notwithſtanding the Eaſe and
with which the preſent Methods of Inſurance admit
to be practiſed, the Inſurers, by a proportionate Degree
tion, ſecure themſelves from being injured, and by con-
ce the Nation.

he Inſurance of foreign Ships is now to be conſidered,

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applied to, becauſe we inſure at an eaſy Rate, and we can inſure at an eaſy Rate, becauſe we are often applied to.

' Nor is the Cheapneſs of Britiſh Inſurance, the only Motive to the Preference which it preſerves among Foreigners, who are induced to apply to this Nation, by the Reputation which our Merchants have deſervedly gained, for Probity and Punctuality, ſuperior to that of any other Traders. Our Merchants, Sir, bargain without Artifice, pay without Subterfuges, and are ready on all Occaſions to preſerve their Character at the Hazard of their Profit.

' From theſe two Conſiderations we may draw unanſwerable Arguments againſt any Reſtraints upon the Practice of Inſuring; if Foreigners are once diſappointed in their Applications to us, our Buſineſs will in a great Part ceaſe; and, as we ſhall not then be able to inſure at lower Rates than other Nations, we ſhall never recover that Branch of our Trade. And as the Character of the Engliſh Merchants exempts them from any Suſpicion of Practices pernicious to the Public, why ſhould they be reſtrained? Why, Sir, ſhould they appear to be ſuſpected by the Legiſlature of their own Country, whom Foreigners truſt without Heſitation?

' It has been objected to them with great Warmth, and urged with much rhetorical Exaggeration, that they aſſiſt the Enemies of their Country, that they prolong the War, and defeat thoſe Advantages which our Situation and Commerce have given us. Imputations ſufficiently attrocious, if they were founded upon Truth.

' But let us, Sir, examine the Arguments by which this Accuſation has been ſupported, and enquire whether this Triumph of Eloquence has been occaſioned by any real Superiority of Evidence or Reaſon. It is urged, that we have already prohibited Commerce with the Spaniards, and that therefore we ought likewiſe to prohibit the Inſurance of their Ships.

' It will not require, Sir, an Imagination very fertile, or a Knowledge very extenſive, to ſupply Arguments ſufficient to refute this ſuppoſed Demonſtration; in Oppoſition to which it may be urged, that this kind of Commerce is of a peculiar Nature, that it ſubſiſts upon Opinion, and is preſerved by the Reputation of our Inſurers; a Reputation that the Inſurers of other Nations may obtain by the ſame means, and from whom we ſhall therefore never recover it.

' It may be obſerved, Sir, that other Commodities are the peculiar Product of different Countries, and that there is no Danger of loſing our other Trade by ſuſpending it, becauſe it depends upon the Excellence of our Manufactures; but that

hat Inſurance may be the Commodity of any Country where Money and common Honeſty are to be found.

'This Argument may perhaps be yet more effectually invalidated, or perhaps entirely ſubverted by denying the Expedience of that Prohibition which is produced as a Preſident, for another Reſtraint. Nor indeed does it appear why we ſhould preclude ourſelves from a gainful Trade, becauſe the Money is drawn by it out of the Hands of our Enemies; or why the Product of our Lands ſhould lie unconſumed, or our Manufactures ſtand unemployed, rather than we ſhould ſell to our Enemies what they will purchaſe at another Place, or by the Intervention of a neutral Power.

'To ſell to an Enemy that which may enable him to injure us, that which he muſt neceſſarily obtain, and which he could buy from no other, would indeed be, to the laſt degree, abſurd; but that may ſurely be ſold them without any Breach of Morality or Policy, which they can want with leſs Inconvenience than we can keep. If we were beſieging a Town, I ſhould not adviſe our Soldiers to ſell to the Inhabitants Ammunition or Proviſions, but cannot diſcover the Folly of admitting them to purchaſe Ornaments for their Houſes, or Brocades for their Ladies.

'But, without examining with the utmoſt Accuracy, whether the late Prohibition was rational or not, I have, I hope, ſuggeſted Objections ſufficient to make the Queſtion doubtful, and to incline us to try the Succeſs of one Experiment before we venture upon another more hazardous.

'I am never willing, Sir, to load Trade with Reſtraints; Trade is in its own Nature ſo fugitive and variable, that no conſtant Courſe can be preſcribed to it; and thoſe Regulations which were proper when they were made, may in a few Months become Difficulties and Obſtructions. We well know, that many of the Meaſures which our Anceſtors purſued for the Encouragement of Commerce, have been found of pernicious Conſequence; and even in this Age, which perhaps Experience more than Wiſdom has enlightened, I have known few Attempts of that kind which have not defeated the End for which they were made.

'It is more prudent to leave the Merchants at Liberty to purſue thoſe Meaſures which Experience ſhall dictate upon every Occaſion, and ſuffer them to ſnatch the preſent Opportunity of honeſt Gain whenever it ſhall happen; they will never injure their own Intereſt by the Uſe of this Liberty, and by preſerving themſelves they will preſerve the Nation from Detriment; nor will they need to be reſtrained by a Law propoſed without their Solicitation, and of Which they cannot diſcover any beneficial Conſequences.'

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Mr. Horatio Walpole.

Mr. Horatio Walpole.

SIR,

'For the Bill now before us I have no particular F
neſs, nor Deſire that it ſhould be promoted by any
means than rational Arguments and the Repreſentati
indubitable Facts.

'I have no Regard, Sir, in this Enquiry, to any pa
Intereſt, or any other Deſire than that of ſecuring the
reſt of my Country, which, in my Opinion, evidently
quires that we ſhould give no Aſſiſtance to our Enemies,
our Merchants ſhould co-operate with our Navies, and
we ſhould endeavour to with hold every thing that
make the War leſs burdenſome to them, and conſequ
of longer Continuance.

'It was obſerved, Sir, in the Beginning of the De
by a Gentleman eminently ſkilled in mercantile Affairs,
Inſurance was practiſed by many Nations; but he did
inform us of what one of the Clauſes makes it prop
enquire, whether they allowed the Method of inſuring
reſt or no Intereſt, and rating Ships at an imaginable
This is, I know, is prohibited by the Dutch; a Nation
Authority on commercial Queſtions will not be diſputed
do they allow their Eaſt-India Ships to be inſured at a

'The Difficulty of eſtimating the Value of any
has been urged in Defence of this Practice, nor is th
fence wholly without Weight, becauſe the Cargo in
Voyages cannot be aſcertained. I ſhall, however, tak
Opportunity of obſerving, tho' I may ſomewhat digre
the preſent Argument, how neceſſary it is that ſome
exported Cargoes ſhould be exactly ſpecified.

'I have been lately informed, Sir, that ſix Ships
with Britiſh Wool, have entered at one time into a
France; nor do I know how this Practice, which is
complained of as pernicious to our Trade, and threa
the Ruin of our Country, can be prevented but by a c
and regular Particularization of every Cargo can
France.

'I admit, Sir, that ſome Cargoes which are im
cannot be particularly regiſtered; ſuch is the Gol
which we are daily ſupplied by our Commerce wi
French in Oppoſition to their Laws, and which our
chants are therefore under the Neceſſity of concealing

'It is not indeed eaſy to foreſee all the Inconven
that may ariſe from new Regulations of Commerce;
Difficulty is not ſo great as has been repreſented, no

c

conceive why all our Conſultations on Trade ſhould be without Effect. Gentlemen may obtain ſome Knowledge of Commerce from their own Obſervation, which they may enlarge by an unconfined and indifferent Converſation with Traders of various Claſſes, and by Enquiries into the different Branches of Commerce; Enquiries, Sir, which are generally neglected by thoſe whoſe Employments confine their Attention to particular Parts of Commerce, or whoſe Application to Buſineſs hinders them from attending to any Opinions but thoſe which their own perſonal Experience enables them to form. Anno 14, Geo. II. 1740.

'From theſe Informations impartially collected, and diligently compared, a Man not engaged in the Profeſſion of a Merchant may form general Principles, and draw Conſequences more certain, and more extenſive in their Relations, than thoſe which are ſtruck out only from the Obſervation of one ſubdivided Species of Commerce.

'A Member of this Houſe, Sir, thus enlightened by Enquiry, and whoſe Judgment is not diverted from its natural Rectitude, by the Impulſe of any private Conſideration, may judge of any commercial Debate with leſs Danger of Error or Partiality than the Merchants, of whom nevertheleſs I have the higheſt Eſteem, and whoſe Knowledge or Probity I do not intend to depreciate, when I declare my Fears, that they may ſometimes confound general Maxims of Trade with the Opinion of particular Branches, and ſometimes miſtake their own Gain for the Intereſt of the Public.

'The Intereſt of the Merchants ought indeed always to be conſidered in this Houſe; but then it ought to be regarded only in Subordination to that of the whole Community, a Subordination which the Gentleman who ſpoke laſt ſeems to have forgotten. He may perhaps not intend long to retain his Senatorial Character, and therefore delivered his Opinion only as a Merchant.

'He has diſtinguiſhed between the Conduct of experienced and unſkilful Inſurers, with how much Juſtice I ſhall not determine. I am afraid that a vigorous Enquiry would diſcover, that neither Age nor Youth has been able to reſiſt ſtrong Temptations to ſome Practices, which neither Law nor Juſtice can ſupport, and that thoſe whoſe Experience has made them cautious, have not been always equally honeſt.

'But this is a Subject upon which I am not inclined to dwell, and only mention as the Reaſon which convinces me of the Propriety of the Bill before us.'

Sir

Anno 14, Geo. II. 1740.

Sir William Yonge.

Sir William Yonge.

SIR,

'There appears no Probability that the
nions which have been formed of this Bill
ciled by this Debate; nor indeed is there a
wondering at this Contrariety of Sentiments.

'The ſeveral Clauſes of the Bill have Relat
ſequences ſo different, that ſcarce any one Ma
them all; and in our preſent Deliberation an
particular Clauſe is conſidered as an Argume
whole Bill.

'It is therefore neceſſary to prevent an un
pence of Time, to reſolve the Houſe into a
which the Bill may be conſidered by ſingle Cl
Part which cannot be defended may be rejec
only retained which deſerves our Approbation.
mittee, when we have conſidered the firſt Clau
the Objections againſt it, we may mend it; or,
amended, reject or poſtpone it, and ſo proceed
whole Bill with much greater Expedition, and
time with a more diligent View of every Clau
we are obliged to take the whole at once into
tion.

'I ſhall for my Part approve ſome Clauſ
Objections to others; but think it proper to r
jections, and the Reaſons of my Approbation,
mittee into which we ought to go on this Occ

* *The Bill itſelf was as follow*

A BILL to prevent ſome Inconveniencies ariſi
ances of Ships.

*Whereas it hath been found by Experience, t
Aſſurances, Intereſt or no Intereſt, hath been
many pernicious Practices, whereby great Nu
with their Cargoes, have been fraudulently loſ
and a great Encouragement to the Exportation of
carrying on many other prohibited and clandeſtine
are thereby ſecreted, and the Parties concerne
Loſs, as well to the Diminution of the public
the great Detriment and Loſs of the fair Trad
troducing an illegal and miſchievous kind of Ga
ing, under the Pretence of aſſuring the Ri
fair Trade, the Inſtitution and laudable Deſig*

ill was referr'd to a Committee, but not forty Mem- Anno 14, Geo. II. 1740.
ng in the Houſe, it was dropt.

d to the Report of the Mutiny and Deſertion-Bill:
it to be engroſſed.
and Committee, went thro' the Bill for opening a
ro' Ruſſia to Perſia, with ſeveral Amendments.
ad. Read a third time, and paſſed the Bill for pu-
utiny and Deſertion, and for the better Payment of
, and their Quarters: Ordered it to the Lords
nto a grand Committee on the Bill for the Encou- Proceeding on the Seamen's Bill.
of Seamen, and for the ſpeedier Manning his Ma-
et, when the firſt Clauſe being read, propoſing the
o be fill'd thus, that every Voluntier Seaman, after
s Service, be entitled to Six Pounds per Year, during
John Barnard expreſſed himſelf as follows:

Sir

th been perverted; and that which was intended for
ragement of Trade and Navigation, becomes hurtful of,
ctive to the ſame.
medy whereof, and for the effectual putting a Stop to,
preventing the like unwarrantable Practices for the
Be it enacted, &c. That all Policies, Inſtruments,
, or Promiſes of Aſſurance, made from and after
or no Intereſt, and Policies valued at the Sum aſſur-
bout further Proof of Intereſt, than the Policy, or in
Words or Manner, to that or the ſame Effect; or upon
other Veſſels or Goods, loaden or to be loaden thereon,
bona fide *upon Intereſt, ſhall be, and are hereby de-*
void) *any Law, Statute, or Cuſtom to the contrary*
iſe notwithſtanding.
ded always, that nothing in this Act contained, ſhall ex-
e conſtrued to extend, to vacate or make void any Aſſu-
ade without Fraud, upon Intereſt of the whole, or any
the Sum for which the Aſſured ſhall appear to be con-
the Veſſel, or Goods ſo aſſured.
ded always, that nothing in this Act contained, ſhall
make void any Aſſurance made upon Account of Mo-
upon Reſpondentia, *or Bottomree Bonds, in which the*
Salvage is allowed the Lender; nor any Aſſurance
a fide, *to re-aſſure any Sum before aſſured, on any Ships*
, *or their Cargoes; provided the ſame be mentioned in*
to be Re aſſurance, or on Money ſo lent on Reſpon-
Bottomree Bonds.
whereas by ſeveral Acts of Parliaments the Subjects of
gdom in general are reſtrained from trading to the
Eaſt-

Anno 14, Geo. II 1740.

Sir John Barnard.

SIR,

'As it is our Duty to provide Laws, by whic
and Oppreſſions may be puniſhed, when they
we are no leſs obliged to obviate ſuch Practices a
Puniſhments neceſſary; nor are we only to facil
tection, but take away, as far as it is poſſible, the C
of Guilt. It is to no Purpoſe Puniſhments are
they can be evaded, or that Rewards are offered,
by any mean Artifices be with-held.

'For this Reaſon, Sir, I think it neceſſary to
the Intent of this Clauſe, the moſt favourable
Clauſe in the Bill, may loſe its Effect by a Pra

*Eaſt-Indies, and the ſole Right of trading theret
veſted in the united Company of Merchants of En
to the Eaſt-Indies; notwithſtanding which, Aſſura
made in Great Britain upon Ships and Effects bel
Subjects of foreign Nations or Powers trading to
dies: Be it farther enacted, by the Authority afore
Aſſurances made after the Day of
any Ships or Effects belonging to any foreign Kingdo
Power, or to the Subjects thereof, trading to and fr
Indies, or from one Part thereof to another, ſha
and taken to be* [void] *to all Intents, Conſtructio
poſes whatſoever.*

*And whereas Aſſurance on the Ships or Effect
alien Enemies to this Kingdom, are greatly preju
true Intereſt thereof, and upon the Capture of ſuch
fects, the real Loſs ſuſtained often falls upon the
Great Britain, who have made ſuch Aſſurances,
enacted, by the Authority aforeſaid, that no Aſſuran
to be made directly or indirectly on any the Ships or
Subjects of any Prince or State, not in Amity with
of Great Britain, at the Time ſuch Aſſurance is
be of any Force or Validity in Law; but ſhall be
Intents, Conſtructions, and Purpoſes whatſoever.*

*Provided always, that if his Majeſty ſhall,
during the preſent War, think fit, in Purſuance o
contained in an Act made in the laſt Seſſion of Pa
titled,* An Act for prohibiting Commerce with S
*off the Prohibitions and Reſtrictions of Commerce,
thereof; then, and in ſuch Caſe, it ſhall and may
make Aſſurance on ſuch Commerce, or any Part
thing herein contained to the contrary notwithſtand*

ſommon, by which any Man, however inclined to ſerve his Country, may be defrauded of the Right of a Voluntier.

'Many Men have voluntarily applied to the Officers of Ships of War, and after having been rejected by them as unfit for the Service, have been dragged on Board within a few Days, perhaps within a few Hours afterwards, to undergo all the Hardſhips, without the Merit of Voluntiers.

'When any Man, Sir, has been rejected by the Sea-Officers, he ought to have a Certificate given him, which ſhall be an Exemption from an Impreſs, that, if any other Commander ſhall judge more favourably of his Qualifications, he may always have the Privilege of a Voluntier, and be entitled to the Reward which he deſerved, by his Readineſs to enter the Service.

'If ſuch Proviſions are not made, this hateful Practice, a Practice, Sir, common and notorious, and very diſcouraging to ſuch as would enter the Service of the Public, may ſo far prevail, that no Man ſhall be able to denominate himſelf a Voluntier, or claim the Reward propoſed by the Bill.'

Sir Charles Wager.

SIR,

'It is not common for Men to receive Injuries without applying for Redreſs, when it may certainly be obtained. If any Proceedings like thoſe which are now complained of, had been mentioned at the Board of Admiralty, they had been immediately cenſured and redreſſed; but as no ſuch Accuſations were offered, I think it may probably be concluded, that no ſuch Crimes have been committed. Admiral Wager.

'For what Purpoſe Oppreſſions of this kind ſhould be practiſed, is not eaſy to conceive: for the Officers are not at all rewarded for Impreſſing Sailors. As therefore it is not probable that any Man acts wickedly or cruelly without Temptation; as I have never heard any ſuch Injury complained of by thoſe that ſuffer'd it, I cannot but imagine, that it is one of thoſe Reports, which ariſe from Miſtake, or are forg'd by Malice, to injure the Officers, and obſtruct the Service.'

Lord Baltimore.

SIR,

'That the Practice now complained of, is very frequent, and, whatever may be the Temptation to it, ſuch as every Day produces ſome Inſtances of, I have Reaſons for aſſerting with great Confidence. I have, within theſe few Days, as I was accidentally upon the River, inform'd myſelf of two Watermen ignominiouſly dragg'd by Force into the

Anno 14, Geo. II. 1740.

Service to which they had voluntarily offer'd themſelves a few Days before. The Reaſons of ſuch Oppreſſion, it is the Buſineſs of thoſe Gentlemen to enquire, whom his Majeſty entruſts with the Care of his Fleet; but to interrupt the Courſe of Wickedneſs, to hinder it from fruſtrating the Rewards offer'd by the Public, is the Province of the Repreſentatives of the People. And I hope, Sir, ſome Proviſo will be made in this Caſe.'

Sir John Norris.

SIR,

Sir John Norris.

'If any ſuch Practices had been frequent, to what can it be imputed, that thoſe who employ their Lives in Maritime Buſineſs ſhould be Strangers to them? Why have no Complaints been made by thoſe that have been injured? Or why ſhould Officers expoſe themſelvs to the hazard of Cenſure, without Advantage? I cannot diſcover why theſe Hardſhips ſhould be inflicted, nor how they could have been concealed, and therefore think the Officers of the Navy may be cleared from the Imputation, without further Enquiry.'

Sir John Barnard.

SIR,

Sir John Barnard.

'It is in vain that Objections are made, if the Facts upon which they are founded may be denied at pleaſure: Nothing is more eaſy than to deny, becauſe Proofs are not required of a Negative. But as Negatives require no Proof, ſo they have no Authority, nor can any Conſequence be deduced from them. I might therefore ſuffer the Facts to remain in their preſent State, aſſerted on one ſide by thoſe that have Reaſons to believe them, and doubted on the other without Reaſons; for ſurely he cannot be ſaid to reaſon, who queſtions an Aſſertion only becauſe he does not know it to be true.

'But as every Queſtion by which the Liberty of a Britiſh may be affected, is of Importance ſufficient to require that no Evidence ſhould be ſuppreſſed by which it may be cleared, I cannot but think it proper that a Committee ſhould be formed to examine the Conduct of the Officers in this Particular; and, in Confidence of the Veracity of thoſe from whom I received my Information, I here promiſe to produce ſuch Evidence as ſhall put an End to Controverſy and Doubt.

'If this is not granted, Sir, the Fact muſt ſtand recorded and allowed; for to doubt, and refuſe Evidence, is a Degree of Prejudice and Obſtinacy without Example. Nor is this the only Objection to the Clauſe before us, which appears very

perfect with regard to the Qualifications ſpecified as to the Reward. The Reward ought not to be confe hoſe who ſhall hereafter be invited by the Promiſe of age in the Service, while thoſe who entered into it any ſuch Proſpect, are condemned to Dangers and without a Recompence. Where Merit is equal, ard ought to be equal; and ſurely where there is Merit, the Reward, propoſed by the Parliament as an ement to Bravery, ought not to be leſs. To be from the Advantages which others have obtained avoiding the Service, cannot but depreſs the Spirit whoſe Zeal and Courage incited them, at the Beginhe War, to enter into the Fleet; and to deject thoſe om we expect Defence and Honour is neither pruuſt.

is it, in my Opinion, proper to offer the ſame Reliſcriminately to all that ſhall accept it; Rewards be proportioned to Deſert, and no Man can juſtly or what he cannot perform; there ought, therefore, e Diſtinction made between a Seaman by Profeſſion, has learned his Art at the Expence of long Expe- abour and Hazard, and a Man who only enters the uſe he is uſeleſs on Land, and who can only incom- Sailors till he has been inſtructed by them.

pears, Sir, to me a conſiderable Defect in our Naval ns, that Wages are not proportioned to Ability; k it may not be now unſeaſonably propoſed, that ould be paid according to the Skill which they ired; a Proviſion by which an Emulation would be ong them, and that Induſtry excited, which now for want of Encouragement; and thoſe Capacities , which now ſlumber in Ignorance and Sloth, from ir of obtaining any Advantage by Superiority of ge.

ert Walpole.

Anon 14, Geo II. 1740.

this Charge, Sir, however poſitively urged, is ge- Sir Robert Walpole juſt, the Declarations of theſe Honourable Gen- ſufficient to evince, ſince it is not probable that d Perſons would not have found ſome Friend to ſented theſe Hardſhips to the Admiralty, and no eſentations could have been made without their ge.

ir, I am far from doubting that, by Accident, or y Malice, ſome Men have been treated in this for it is not in the Power of any Adminiſtration

Anno 14, Geo. II. 1740.

to make all thoſe honeſt or wiſe whom they are obliged to employ; and when great Affairs are depending, minute Circumſtances cannot always be attended to. If the Vigilance of thoſe who are entruſted with the chief Direction of great Numbers of ſubordinate Officers be ſuch, that corrupt Practices are not frequent, and their Juſtice ſuch, that they are never unpuniſhed when legally detected, the moſt ſtrict Enquirer can expect no more. Power will ſometimes be abuſed, and Puniſhment ſometimes be eſcaped.

'It is, Sir, eaſy to be conceived that a Report may become general, tho' the Practice be very rare. The Fact is multiplied as often as it is related, and every Man who hears the ſame Story twice, imagines that it is told of different Perſons, and exclaims againſt the Tyranny of the Officers of the Navy.

'But theſe, in my Opinion, Sir, are Queſtions, if not remote from the preſent Affair, yet by no means eſſential to it. The Queſtion now before us is, not what Illegalities have been committed in the Execution of Impreſſes, but how Impreſſes themſelves may become leſs neceſſary? How the Nation may be ſecured without Injury to Individuals? And how the Fleet may be manned with leſs Detriment to Commerce?

'Sir, the Reward now propoſed is intended to excite Men to enter the Service without Compulſion; and if this Expedient be not approved, another ought to be ſuggeſted: For I hope Gentlemen are united in their Endeavours to find out ſome Method of Security to the Public, and do not obſtruct the Proceedings of the Committee, that, when the Fleets lie inactive and uſeleſs, they may have an Opportunity to reproach the Miniſtry.'

Sir John Norris.

SIR,

Sir John Norris.

'Tho' it is not neceſſary to enter into an accurate Examination of the Gentleman's Propoſal, yet I cannot but obſerve, that by making it he diſcovers himſelf unacquainted with the Diſpoſition of Seamen, among whom nothing raiſes ſo much Diſcontent as the Suſpicion of Partiality. Should one Man, in the ſame Rank, receive larger Wages than another, he who thought himſelf injured, as he who is paid leſs will always think, would be ſo far from exerting his Abilities to attain an Equality with his Aſſociate, that he would probably never be prevailed on to lay his Hand upon the Tackling, but would ſit ſullen, or work perverſely, tho' the Ship were labouring in a Storm, or ſinking in a Battle.'

Mr.

Mr. Gore.

Sir,

' The Danger of introducing Diſtinctions among Men in Mr. Gore.
e ſame Rank, where every Man that imagines his Merit
glected may have an Opportunity of reſenting the Injury,
ſuccefs ſuch as no prudent Commander will venture to
e.

Every Man in this Caſe becomes the Judge of his own
it; and as he will always diſcover ſome Reaſon for the
ference of another very different from Superiority of De-
, he will, by conſequence, be either enraged or diſpirited,
either reſolve to deſert his Commander, or betray him
e Enemies, or not oppoſe them.

I remember, tho' imperfectly, a Story which I heard in
Travels, of an Army in which ſome Troops received a
y a Day leſs than the reſt; a Parſimony which coſt dear
e Day of Battle, for the diſguſted Troops laid down
r Arms before the Enemy, and ſuffered their General to
ut in Pieces.'

General Wade.

Sir,

I cannot but concur with the Honourable Gentleman in General Wade
Opinion, that thoſe who are already engaged in the
vice, who have born the Fatigues of a long Voyage, and
haps are at this Hour expoſing their Lives in Battle to
nd the Rights of their Country, ought to have the ſame
im to the Reward propoſed with thoſe who ſhall here-
r offer themſelves. Nor in my Opinion ought thoſe
have hitherto been preſſed into our Fleets to be diſ-
aged from their Duty by an Excluſion from the ſame
antage: For if they were compelled to ſerve in the
t, they were compelled when there was not this Encou-
ment for Voluntiers, which, perhaps, they would have
pted if it had been then propoſed. Every Man at leaſt
alledge, that he would have accepted it, and complain he
s only by the Fault of the Government; a Govern-
t which he will not be very zealous to defend, while he
onſidered with leſs Regard than others from whom no
ter Services are expected.

A Proſpect of new Rewards, Sir, will add new Ala-
to all the Forces, and an equal Diſtribution of Favour
ſecure an unſhaken and inviolable Fidelity. Nothing
Union can produce Succeſs, and nothing can ſecure Union
Impartiality and Juſtice.'

Mr.

Anno 14, Geo II. 1740.

Mr. Sandys.

Sam. Sandys, Esq;

SIR,

' The Efficacy of Rewards, and the Neceſſity o
partial Diſtribution, are no unfruitful Subjects for
but it may perhaps be more uſeful at preſent to con
ſuch a Degree of Attention as the Queſtion muſt be
ledged to deſerve, to whom theſe Rewards are to
and from what Fund they are expected to ariſe.

With regard to thoſe who are to claim the Rew
they ſeem very negligently ſpecified; for they a
guiſhed only by the Character of having ſerved fi
a Diſtinction unintelligible, without Explanation.

' It is, I ſuppoſe, Sir, the Intent of the Bill, tha
ſhall miſs the Reward but by his own Fault, and th
may be enquired, what is to be the Fate of him
be diſabled in his firſt Adventure, whom in the fir
Month of his Service, an unlucky Shot ſhall confi
remaining Part of his Life to Inactivity: As the Bi
formed, he muſt be miſerable without a Recompe
his Wounds, which make him unable to ſuppor
will, tho' received in Defence of his Country, en
to no Support from the Public.

' Nor is this the only Difficulty that may ariſe
ſpecifying of ſo long a Service; for how can any
ſhall enter on board the Fleet be informed that the
continue for five Years? May we not all juſtly h
Alacrity, Unanimity, and Prudence, may in a mu
Time reduce our Enemies to beg for Peace? And
Sailors loſe that Reward of their Hazards and their
only becauſe they have been ſucceſsful? What will
leſs than making their Bravery a Crime or Folly,
niſhing them for not protracting the War by Cow
Treachery?

' But let us ſuppoſe, Sir, thoſe Defects ſupplied b
explicite and determinate Specification, there will
an Objection which the preſent State of our Reven
not ſuffer to be anſwered. The Conſideration
Greatneſs of the annual Payment which this Prop
quires, ought to incite every Man to employ all his
in ſearch of ſome other Method equally efficacious
expenſive.

' We have already, Sir, 40,000 Seamen in our
whom 8000 more are ſpeedily to be added; when
theſe ſhall demand his Stipend, a new Burthen of
muſt be laid upon the Nation; upon a Nation, who
are mortgaged, whoſe Revenues are anticipated, an

Taxes cannot be borne without Murmurs, nor increaſed without Sedition. Anno 14, Geo. II. 1740.

'The Nation has found by Experience, that Taxes once impoſed for juſt Reaſons, and continued upon plauſible Pretences, till they are become familiar, are afterwards continued upon Motives leſs laudable, are too productive of Influence, and too inſtrumental towards facilitating the Meaſures of the Miniſtry, to be ever willingly remitted.'

Col. Bladen.

SIR,

'It is obvious that when the Balance is unequal, it may be reduced to an Equilibrium, as well by taking the Weight out one Scale, as adding it to the other. The Wages offered the Merchants overbalance, at preſent, thoſe which are propoſed by the Crown; to raiſe the Allowance in the Ships of War, will be to lay new Loads upon the Public, and will accommode the Merchants, whoſe Wages muſt always bear the ſame Proportion to the King's. The only Method then that remains, is to lighten the oppoſite Scale, by reſtraining the Merchants from giving Wages in Time of War beyond a certain Value; for as the Service of the Crown is now more immediately neceſſary to the general Advantage, than that of the Merchants, it ought to be made more gainful. Sailors, Sir, are not generally Men of very extenſive Views; and therefore we cannot expect that they ſhould prefer the general Good of their Country before their own preſent Intereſt, a Motive of ſuch Power that even with Men of ſerious Reſearches, refin'd Sentiments, and generous Education, we ſee too often that it ſurmounts every other Conſideration.' Col. Bladen.

Lord Baltimore.

SIR,

'To the Expedient which the Honourable Gentleman has ſpoke laſt has ſuggeſted, and which he ſeems to have confeſſed to have placed in the ſtrongeſt Light, many Objections may be raiſed, which I am afraid will not eaſily be removed. Lord Baltimore.

'The firſt, Sir, which occurs to me on this ſhort Reflection is not leſs than the Impoſſibility of putting his Scheme in execution. The Preſcription of Wages which he propoſes may be eluded by a thouſand Artifices, by advanced Money, by gratuitous Acknowledgments, the Payment of Money for pretended Services, or by ſecret Contracts, which it will be the Intereſt of both Parties to conceal.

'But if this Objection could be ſurmounted by Severity and Vigilance, would not this Expedient help to defeat the general Intention of the Bill? A Bill not deſigned as an immediate

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diate Reſource, a mere temporary Project to ſupply our Fleets for the preſent Year, but as a Method for removing the only Obſtruction of the Britiſh Power, the Difficulty of manning our Ships of War.

'It is, I hope, Sir, the Intention of every Man who has offered his Sentiments on this Occaſion, to contrive ſome general Encouragement for Seamen, which ſhall not only invite them to aſſiſt their Country at the firſt Summons, but ſhall allure others to qualify themſelves for the public Service, by engaging in the ſame Profeſſion.

'This is only to be done by making the Condition of Sailors leſs miſerable, by entitling them to Privileges, and honouring them with Diſtinctions. But by limiting the Merchants Wages, if ſuch Limitations are indeed poſſible, though we may palliate the preſent Diſtreſs, we ſhall diminiſh the Number of our Sailors, and, thereby, not only contract our Commerce, but endanger our Country.'

Mr. Tracy.

SIR,

Mr. Tracy.

'I know not for what Reaſons the preſent Method of advancing Rewards at entrance is practiſed, of which, however ſpecious it might appear, the Succeſs by no means encourages the Continuance. The Sailors, tho' not a Generation of Men much diſpoſed to Reflection, or qualified for Ratiocination, are not yet ſo void of Thought as not eaſily to perceive that a ſmall Increaſe of conſtant Wages is of more Value than ſeveral Pounds to be paid only at once, and which are ſquandered as ſoon as they are received.

'Inſtead therefore of reſtraining the Wages of the Merchants, it ſeems probable that, by raiſing thoſe of the King, we may man the Fleet with moſt Expedition; and our Method of raiſing the Wages will be to ſuppreſs the advanced Money.'

Mr. Ryder (Attorney General)

SIR,

Mr. Ryder.

'If the Sum of Money now paid by Way of Advance can be ſuppoſed to have any Effect, if it can be imagined that any Number of Seamen, however inconſiderable, are allured by it into the Fleet, it is more uſefully employ'd than it can be ſuppoſed to be when ſunk into the current Wages, and divided into ſmall Payments.

The Advance-Money is only paid to thoſe that enter: If no Voluntiers preſent themſelves, no Money is paid, and the Nation doth not ſuffer by the Offer: But if the Wages are raiſed, the Expence will be certain, without the Certainty of Advantage

Advantage; for thoſe that enter voluntarily into the Fleet, will receive no more than thoſe that are forced into it by an Impreſs; and therefore there will be no Incitement to enter without Compulſion. Thus every other Inconvenience will remain, with the Addition of a new Burthen to the Nation; our Forces will be maintained at a greater Expence, and not raiſed with leſs Difficulty.' Anno 14, Geo. II. 1740.

Lord Baltimore.

SIR,

'I cannot but concur in Opinion with the Hon. Gentleman who ſpoke laſt, from my own Acquaintance with the Sentiments and Habits that unalterably prevail among thoſe who have been accuſtom'd to the Sea; a Race of Men to the laſt Degree negligent of any future Events, and careleſs about any Proviſion againſt diſtant Evils; Men who have no Thoughts at Sea but how to reach the Land, nor at Land but how to ſquander what they have gain'd at Sea. To Men like theſe it may eaſily be imagined that no Encouragement is equal to the Temptation of preſent Gain, and the Opportunity of preſent Pleaſure. Lord Baltimore.

'Of this any Man, Sir, may convince himſelf, who ſhall talk to a Crew but half an Hour; for he ſhall find few among them, who will not for a ſmall Sum of preſent Money, ſell any diſtant Proſpect of Affluence or Happineſs.

'Whether I am miſtaken in my Opinion, the honourable Members who have long commanded in the naval Service, can eaſily determine; and I doubt not but they will agree, that no Motive can be propoſed to a Sailor equivalent to immediate Reward.'

Sir William Yonge.

SIR,

'That ſome Diſtinction ought to be made to the Advantage of Voluntiers, if we intend to mann our Fleet without Compulſion, is obvious and incontellable; and to avoid the Neceſſity of Compulſion ought to be the chief End of this Bill; for nothing can be leſs to the Advantage of the Nation, than to continue the Uſe of ſuch ungrateful Methods, and yet increaſe the public Expence. Sir William Yonge.

'We ought, therefore, in my Opinion, to determine upon ſome peculiar Reward, either to be advanc'd upon their Entrance into the Service, or paid at their Diſmiſſion from it.

'But as I ſee, Sir, no Reaſon for hoping that all the Encouragement which can be offer'd, will raiſe Voluntiers in a ſufficient Number to ſecure our Navigation, and aſſert our

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Sovereignty, it ſeems not proper to confine our Conſultations to this Part of the Bill; for ſince Compulſion is on many Occaſions apparently neceſſary, ſome Method requires to be conſider'd, in which it may be legal.

'What new Power ought to be placed in the Magiſtrate, for what Time, and what Reſtrictions, I am far from aſſuming the Province of determining; but that ſome Meaſures muſt be taken for compelling thoſe who cannot be perſuaded, and diſcovering thoſe that will not offer themſelves, cannot admit of Doubt; and as the Magiſtrate is at preſent without any Authority for this Purpoſe, it is evident that his Power muſt be extended for the ſame Reaſon as it was given in its preſent Degree, the general Benefit of the whole Community.

Sir John Barnard.

SIR,

Sir John Barnard.

'If the Intent of this Bill be to enable one Part of the Nation to enſlave the other; if the plauſible and inviting Profeſſions of encouraging and increaſing Seamen, are to terminate in Violence, Conſtraint, and Oppreſſion; it is unneceſſary to dwell longer upon particular Clauſes. The Intention of the Bill is deteſtable, and deſerves not the Ceremony of Debate, or the Forms of common Regard.

'If a Man, Sir, is liable to be forc'd from the Care of his own private Affairs, from his favourite Schemes of Life, from the Engagements of domeſtic Tenderneſs, or the Proſpect of near Advantage, and ſubjected, without his Conſent, to the Command of one whom he hates, or dreads, or perhaps deſpiſes, it requires no long Argument to ſhew, that by whatever Authority he is thus treated, he is reduced to the Condition of a Slave, to that abject, to that hateful State, which every *Engliſhman* has been taught to avoid at the Hazard of his Life.

'It is therefore evident, that the Law which tends to confer ſuch a Power, ſubverts our Conſtitution as far as its Effects extend; a Conſtitution, which was originally formed as a Barrier againſt Slavery, and which one Age after another has endeavour'd to ſtrengthen.

'Such a Power, therefore, in whatever Hands it may be lodg'd, I ſhall always oppoſe. It is dangerous, Sir, to entruſt any Man with abſolute Dominion, which is ſeldom known to be impartially exerciſed, and which often makes thoſe corrupt and inſolent, whom it finds benevolent and honeſt.

'The Bill propoſes only Encouragement; and Encouragement may be given by his Majeſty, without a new Law; let

let us therefore draw up an Addreſs, and ceaſe to debate, where there is no Proſpect of Agreement.' Anno 14, Geo II. 1740.

Mr. Winnington.

SIR,

'The Payment of an annual Salary will, in my Opinion, be the laſt Degree inconvenient and dangerous. The yearly pence has been already eſtimated, and ariſes to a Sum y formidable in our preſent State. Nor is the Neceſſity adding to the Public Burthen, a Burthen which is already rd to be borne, the only Objection to this Propoſal. Mr. Winnington.

'Nothing can more contribute to diſpirit the Nation, than protract the Conſequences of a War, and to make the Caity felt, when the Pleaſures of Victory and Triumph ve been forgotten; we ſhall be inclin'd rather to bear Opſſion and Inſult, than endeavour after Redreſs, if we ſubject rſelves and our Poſterity to endleſs Exactions.

'The Expences of the preſent Proviſion for ſuperannuated d diſabled Sailors, is no inconſiderable Tax upon the Pub-, which is not leſs burthen'd by it for the Manner of colting it, by a Deduction from the Sailors Wages; for, whoer pays it immediately, it is the ultimate Gift of the Na-n, and the utmoſt that can be allowed for this Purpoſe.

'It muſt be confeſſed, Sir, the Perſons entitled to the Penſion e not ſufficiently diſtinguiſh'd in the Bill; by which, as it w ſtands, any of the worthleſs Superfluities of a Ship, even e Servants of the Captains, may, after five Years, put in eir Demand, and plunder that Nation which they never rv'd.

'Nor do I think, Sir, the Efficacy of this Method will bear ny Proportion to the Expence of it; for I am of Opinion, at few of the Sailors will be much affected by the Proſpect f a future Penſion. I am therefore for dazzling them with ive Pounds to be given them at their Entrance, which will e but a ſingle Payment, and probably fill our Fleets with reater Expedition, than Methods which appear more refin'd, d the Effects of deeper Meditation.'

Lord Gage.

SIR,

'Nothing is more clear than that a yearly Penſion will burthen the Nation without any Advantage; and as it will ive Occaſion to innumerable Frauds, it is a Method which ught to be rejected. Lord Gage.

'As to the new Power, Sir, which is propoſed to be placed the Hands of the Magiſtrates, it undoubtedly reduces every ailor to a State of Slavery, and is inconſiſtent with that na-

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tural Right to Liberty, which is confirmed and ſecured by
Conſtitution. The Bill therefore is, in my Opinion, in
tive in all its Parts, of a Tendency generally pernicious,
cannot be amended but by rejecting it.'

Mr. Pelham.

SIR,

Mr. Pelham.

'I cannot but think it neceſſary, that, on this Occaſ
leaſt, Gentlemen ſhould remit the Ardour of Diſputation,
lay the Arts of Rhetoric aſide, that they ſhould reſerve
Wit and their Satire for Queſtions of leſs Importance,
unite, for once, their Endeavours, that this Affair may
with no Obſtructions but from its natural Difficulty.

'We are now, Sir, engaged in a War with a Nation,
of the firſt Rank in Power, yet by no Means conten
in itſelf; and, by its Alliances, extremely formidable.
are expoſed, by the Courſe of our Trade, and the Situa
our Enemies, to many inevitable Loſſes, and have no
of preventing our Merchants from being ſeized, w
Danger or Expence to the Spaniards, but by covering t
with our Squadrons.

'Nor are we, Sir, to ſatisfy ourſelves with barely de
the Deſigns of the Spaniards; our Honour demands
ſhould force them to Peace upon advantageous Term
we ſhould not repulſe, but attack them; not only p
our own Trade and Poſſeſſions, but endanger theirs.

'It is by no Means certain, Sir, that, in the Proſecu
theſe Deſigns, we ſhall not be interrupted by the Int
Jealouſy of a Nation far more powerful, whoſe Fo
ought therefore to be able to reſiſt.

'A vigorous Exertion of our Strength will probabl
intimidate any other Power that may be inclin'd to at
or enable us to repel the Injuries that ſhall be offered;
and Delay can only confirm our open Enemies in th
ſtinacy, and animate thoſe that have hitherto concea
Malignity to declare againſt us.

'It is, therefore, Sir, in no degree prudent to aggr
Inconveniencies of the Meaſures propoſed, for accom
what every Man ſeems equally to deſire; to declaim
the Expedients offered in the Bill as pernicious, un
oppreſſive, contributes very little to the Production
Means. That our Affairs will not admit of long S
and that the preſent Methods of raiſing Seamen are
tual, is univerſally allowed; it therefore evidently
Sir, that ſome other muſt be ſpeedily ſtruck out.

'I think it neceſſary to propoſe, that the [illegible]
into a Committee to-morrow Morning; a[illegible]

aſſemble on this Occaſion, will bring with them no other Paſ- Anno 14, Geo. II. 1740.
ſion than Zeal for their Country.'

The Speaker then reſumed the Chair, and the Chairman of the Committee reported, that they had made ſome Progreſs; and deſir'd Leave to ſit again.

The 3d. Agreed to the Report of a Bill for opening a Trade to and from Perſia thro' Ruſſia: Ordered it to be engroſſed.

Read a third time, and paſſed the Bill for the more eaſy Recovery of Small Debts: Ordered it to the Lords.

In a Committee, went thro' the Bill to indemnify Proteſtant Purchaſers of Eſtates of Papiſts, &c.

The 4th. In a grand Committee took into further Conſideration the Bill for the Encouragement of Seamen, and for the ſpeedier Manning his Majeſty's Fleet, when a Clauſe was offer'd, by which 5l. was propoſed to be advanced to an able Seaman, and 3l. to every other Man that ſhould enter voluntarily into his Majeſty's Service, after 20 Days and within 60.

Mr. Winnington.

SIR,

' This is a Clauſe in which no Oppoſition can be appre- Mr. Winnington.
hended, as thoſe Gentlemen who declared their Diſapprobation of the former, were almoſt unanimous in propoſing this Expedient, as the leaſt expenſive, and the moſt likely to ſucceed.

' The Time for the Reception of Voluntiers upon this Condition, is, Sir, in my Opinion, judiciouſly determined. If it was extended to a greater length, or left uncertain, the Reward would loſe its Efficacy, the Sailors would neglect that which they might accept at any time, and would only have recourſe to the Ships of War when they could find no other Employment.

' Yet I cannot conceal my Aprehenſions, that this Bounty will not alone be ſufficient to man our Fleets with proper Expedition; and that as Allurements may be uſeful on one hand, Force will be found neceſſary on the other, that the Sailors may not only be incited to engage in the Service by Hopes of a Reward, but by the Fear of having their Negligence to accept it puniſhed, by being compell'd into the ſame Service, and forfeiting their Claim by ſtaying to be compell'd.'

Lord Baltimore.

SIR,

' To the Reward propoſed in this Clauſe, I have declared Lord Baltimore.
in the former Conference on this Bill, that I have no Objection,

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jection, and therefore have no Amendment to propoſe, except with regard to the Time limited for the Payment.

'As our need of Seamen, Sir, is immediate, why ſhould not a Law for their Encouragement immediately operate? What Advantages can ariſe from Delays? Or why is not that proper to be advanced now, that will be proper in twenty Days? That all the Time between the Enaction and Operation of this Law muſt be loſt, is evident; for who will enter for two Pounds, that may gain five by with-holding himſelf from the Service twenty Days longer?

'Nor do I think the Time now limited ſufficient; many Sailors who are now in the Service of the Merchants, may not return ſoon enough to lay Claim to the Bounty, who would gladly accept of it, and who will either not ſerve the Crown without it, or will ſerve with Diſguſt and Complaints; as the Loſs of it cannot be imputed to their Backwardneſs, but to an Accident againſt which they could not provide.'

Mr. Winnington.

SIR,

Mr. Winnington.

'Tho' I think the Time now fixed by the Bill ſufficient, as I hope that our preſent Exigency will be but of ſhort Continuance, and that we ſhall ſoon be able to raiſe Naval Forces at a cheaper Rate, yet, as the Reaſons alledged for an Alteration of the Time may appear to others of more Weight than to me, I ſhall not oppoſe the Amendment.'

Sir John Barnard.

SIR,

Sir John Barnard.

'With regard to the Duration of the Time fixed for the Advancement of this Bounty, we may have Leiſure to deliberate; but ſurely it muſt be readily granted by thoſe who have expatiated ſo copiouſly upon the preſent Exigencies of our Affairs, that it ought immediately to commence. And if this be the general Determination of the Houſe, nothing can be more proper than to addreſs his Majeſty to offer, by Proclamation, an Advance of five Pounds, inſtead of two, which have been hitherto given; that, while we are concerting other Meaſures for the Advantage of our Country, thoſe in which we have already concurred, may be put in execution.'

Mr. Pulteney.

SIR,

Mr. Pulteney.

'I take this Opportunity to lay before the Houſe a Grievance which very much retards the Equipment of our Fleets, and which muſt be redreſſed before any Meaſures for reconciling

tiling the Sailors to the public Service can be purſued the leaſt Probability of Succeſs. Anno 14, Geo. II. 1740.

Obſervation, Sir, has informed me, that to remove the ſation of the King's Service, it is not neceſſary to raiſe Wages of the Seamen, it is neceſſary only to ſecure them; neceſſary to deſtroy thoſe hateful Inſects that fatten in ſs and Debauchery, upon the Gains of the Induſtrious ſoneſt.

When a Sailor, Sir, after the Fatigues and Hazards of g Voyage, brings his Ticket to the Pay-Office, and de- s his Wages, the deſpicable Wretch to whom he is o- d to apply, looks upon his Ticket with an Air of Im- nce, acknowledges his Right, and demands a Reward reſent Payment; with which Demand, however exorbi- the Neceſſities of his Family oblige him to comply.

n this manner, Sir, are the Wives of the Sailors alſo d when they come to receive the Pay of their Huſ- s Women, diſtreſſed, friendleſs, and unſupported; they bliged to endure every Inſult, and to yield to every Op- on. And to ſuch a Height do theſe mercileſs Exactors their Extortions, that ſometimes a third Part of the s is deducted.

Thus, Sir, do the vileſt, the meaneſt of Mankind, plun- hoſe who have the higheſt Claim to the Eſteem, the ude, and the Protection of their Country. This is ardſhip which with-holds the Sailors from our Navies, rces them to ſeek for kinder Treatment in other Coun-

This Hardſhip, Sir, both Juſtice and Prudence call us to remedy; and while we neglect it, all our Delibe- ns will be ineffectual.'

Mr. Southwell.

Sir,

Of the Hardſhips mentioned by the Honourable Gen- Mr. Southwell
n who ſpoke laſt, I have myſelf known an Inſtance, remarkable not to be mentioned. A Sailor in Ireland, his Voyage, met with ſo much Difficulty in obtaining Wages, that he was at length reduced to the Neceſſity of ting to the Reduction of near a ſixth Part. Such are grievances with which thoſe are oppreſſed, upon whom Power, Security, and Happineſs of the Nation are ac- nowledged to depend.'

Robert Walpole.

Sir,

It is not without Surprize that I hear the Diſguſt of Sir Robert
ailors aſcribed to any Irregularity in the Payment of Walpole.
their

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their Wages, which were never in any former Reign ſo punctually diſcharged. They receive, at preſent, twelve Months Pay in eighteen Months, without Deduction; ſo that there are never more than ſix Months for which any Demand remains unſatisfied.

'But, Sir, the Punctuality of the Payment has produced of late great Inconveniencies; for there has been frequently a Neceſſity of removing Men from one Ship to another; and it is the ſtated Rule of the Pay-Office, to aſſign every Man ſo removed his full Pay. Theſe Men, when the Government is no longer indebted to them, take the firſt Opportunity of deſerting the Service, and engaging in Buſineſs to which they are more inclined.

'This is not a chimerical Complaint founded upon rare Inſtances, and produced only to counterbalance an Objection; the Fact and the Conſequences are well known, ſo well, that near 1400 Sailors are computed to have been loſt by this Practice.'

The Speaker.

SIR,

The Speaker.

'The Nature of the Employment with which I am entruſted, makes it my Duty to endeavour that this Queſtion may be clearly underſtood, and the Condition of the Seamen, with Regard to the Reception of their Pay, juſtly repreſented.

'I have not been able to diſcover that any Sailor upon producing his Ticket, was ever obliged to ſubmit to the Deduction of any Part of his Wages, nor ſhould any Clerk or Officer under my Inſpection, eſcape for ſuch Oppreſſion, the ſevereſt Puniſhment, and moſt public Cenſure; I would give him up to the Law without Reſerve, and mark him as infamous and unworthy of any Truſt or Employment.

'But there are Extortioners, Sir, by which thoſe unhappy Men, after having ſerv'd their Country with Honeſty and Courage, are deprived of the lawful Gains of Diligence and Labour. There are Men to whom it is uſual amongſt the Sailors to mortgage their Pay before it becomes due, who never advance their Money but upon ſuch Terms, as cannot be mention'd without Indignation. Theſe Men advance the Sum which is ſtipulated, and by Virtue of a Letter of Attorney are re-imburs'd at the Pay-Office.

'This Corruption is, I fear, not confin'd to particular Places, but has ſpread even to the Weſt-Indies, where, as in his own Country, the poor Sailor is ſeduced, by the Temptation of preſent Money, to ſell his Labour to Extortioners and Uſurers.

'I

eal to the Gentleman whether the Inſtance which ned was not of this Kind. I appeal to him with- henſion of receiving an Anſwer that can tend to what I have aſſerted.

Southwell own'd it was by a Letter of Attorney.]

Sir, is indeed a Grievance pernicious and oppreſſive, Endeavours of mine ſhall be deficient in attempting ; for by this the Sailor is condemn'd, notwith- is Induſtry and Succeſs, to perpetual Poverty, and nly for the Benefit of his Plunderer.'

auſes were then read, Empowering the Juſtices of , &c. to iſſue Warrants to the Conſtables, &c. to eral privy Searches, by Day or Night, for finding curing ſuch Seamen and Seafaring Men as lie hid themſelves; and making it lawful for the Officers to make ſuch Searches, to force open the Doors ouſe where they ſhall ſuſpect ſuch Seamen to be , if Entrance be not readily admitted; and for fix- ulty on thoſe who ſhall harbour or conceal any Sea-

Clauſe relating to privy Search for Seamen.

n Barnard.

Debate thereon.

Sir John Barnard.

have been hitherto deliberating upon Queſtions, in verſity of Opinions might naturally be expected, hich every Man might indulge his own Opinion, it might be, without any dangerous Conſequences blic. But the Clauſes now before us are of a diffe- ; Clauſes which cannot be read without Aſtoniſh- Indignation, nor defended without betraying the f the beſt, the braveſt, and moſt uſeful of our Fel- cts.

eſe Clauſes, Sir, ſhould paſs into a Law, a Sailor ave will become Terms of the ſame Signification. an who has devoted himſelf to the moſt uſeful Pro- nd moſt dangerous Service of his Country, will ſee leprived of every Advantage which he has laboured , and made the mere paſſive Property of thoſe who ecurity by his Valour, and owe to his Labour that which hardens them to Inſenſibility, and that Pride ls them to Ingratitude.

y muſt the Sailors alone, Sir, be marked out from other Orders of Men for Ignominy and Miſery? uſt they be ranked with the Enemies of Society, like Vagabonds, and purſued like the Thief and the

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Murderer, by public Officers? How or when have they forfeited the common Privilege of human Nature, or the general Protection of the Laws of their Country? If it is a juſt Maxim, Sir, that he who contributes moſt to the Welfare of the Public, deſerves moſt to be protected in the Enjoyment of his private Right or Fortune, (a Principle which ſurely will not be controverted) where is the Man that dares ſtand forth and aſſert, that he has juſter Claims than the brave, the honeſt, the diligent Sailor?

'I am extremely unwilling, Sir, to engage in ſo invidious an Undertaking, as the Compariſon of the harmleſs, inoffenſive, reſolute Sailor, with thoſe who think themſelves entitled to treat him with Contempt, to overlook his Merit, invade his Liberty, and laugh at his Remonſtrances.

'Nor is it, Sir, neceſſary to dwell upon the peculiar Merit of this Body; of Men it is ſufficient that they have the ſame Claims, founded upon the ſame Reaſons with our own; that they have never forfeited them by any Crime, and therefore that they cannot be taken away, without the moſt flagrant Violation of the Laws of Nature, of Reaſon, and of our Country.

'Let us conſider the preſent Condition of a Sailor, let us reflect a little upon the Calamities to which Cuſtom, tho' not Law, has already made him ſubject, and it will ſurely not be thought that his Unhappineſs needs any Aggravation.

'He is already expoſed to be forced, upon his Return from a tedious Voyage, into new Hardſhips, without the Intermiſſion of a Day, and without the Sight of his Family; he is liable, after a Contract for a pleaſing and gainful Voyage, to be hurried away from his Proſpects of Intereſt, and condemned, amidſt Oppreſſion and Inſolence, to Labour and to Danger, almoſt without the Poſſibility of a Recompence. He has neither the Privilege of chuſing his Commander, nor of leaving him when he is defrauded and oppreſſed.

'Theſe, Sir, I ſay, are the Calamities to which he is now ſubject, but there is now a Poſſibility of eſcaping them. He is not yet deprived of the Right of Reſiſtance, or the Power of Flight; he may now retire to his Friend, and be protected by him; he may take Shelter in his own Cottage, and treat any Man as a Robber, that ſhall attempt to force his Doors.

'When any Crews are returning Home in Time of War, they are acquainted with the Dangers of an Impreſs, but they comfort themſelves with contriving Stratagems to elude it, or with the Proſpect of obtaining an Exemption from it by the Favour of their Friends: Proſpects which are often deceitful,

ems frequently defeated, but which yet A
and animate their Induſtry.

Sir, ſhould become a Law, the Sailor, \
himſelf on his Return, with the Pro-
Pleaſure, will conſider his Country as a
Reſidence leſs to be deſired than any o-
ld. He will probably ſeek, in the Ser-
Prince, a kinder Treatment, and will
try but his own, to ſee himſelf at leaſt
Men.

l, Sir, only give the Seamen new Rea-
t will tend likewiſe to aggravate thoſe
ready have produced a Deteſtation of
arcely to be conquered.

the Navy, Sir, will hardly be made
creaſe of Power; they whoſe Tyranny
their Fellow Subjects from the King's
could only depend upon the Charac-
oderation for the Proſpect of manning
ling Expeditions, will probably, when
y a Law like this, and made abſolute
, indulge themſelves in the Enjoyment
ty, contrive new Hardſhips and Oppreſ-
ithout Fear and without Mercy. Thus,
only be tyrannical in itſelf, but the Pa-
will give Security to the Cruel, and
rogant.

at leaſt any Man bred from his Infancy
nce, and accuſtomed to different Cli-
n Nations, will fix by Choice in that
ds the worſt Reception, is hardly to be
indeed, that Men unqualified to ſupport
ountries, or who have, by long Cuſtom,
for particular Methods of Life, will
ble Circumſtances, without endeavour-
Conditions by a Change of their Habi-
nper of a Sailor, acquainted with all
to all, is of another kind. Such, Sir,
ge, ariſing either from Wantonneſs or
rd to be retained by the kindeſt Treat-
al Rewards, and will therefore never
itual Diſpoſitions, only to continue in a

ore, Sir, very evident that this new
g Sailors will be ſo far from increaſing
bably drive them out of the Kingdom,

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and at once ruin our Trade and our Navy; at once beggar and disarm us.

'Let me now suppose, Sir, for a Moment, the Bill less pernicious in its Consequences, and consider only the Difficulty of executing it. Every Sea-faring Man is to be seized at Pleasure by the Magistrate; but what Definition is given of a Sea-faring Man? Or by what Characteristic is the Magistrate to distinguish him? I have never been able to discover any Particularities in the form of a Seaman that mark him out from the rest of the Species. There is, indeed, less Servility in his Air, and less Effeminacy in his Face, than in those that are commonly to be seen in Drawing-Rooms, in Brothels, and at Reviews; but I know not that a Seaman can be distinguished from any other Man of equal Industry or Use, who has never enervated himself by Vice, nor polished himself into Corruption. So that this Bill, Sir, if it shall pass into a Law, will put it at once in the Power of the Magistrate to dispose of Seamen at his Pleasure, and to term whom he pleases a Seaman.

'Another Expedient, Sir, has been offered on this Occasion not equally tyrannical, but equally inadequate to the End in View. It is proposed to restrain the Merchants from giving Wages beyond a certain Rate, on the Supposition that the Sailors have no Motive but that of larger Wages, to prefer the Service of the Merchants to that of the Crown.

'This, Sir, is a Mistake which might easily arise from a partial and imperfect Knowledge of the Affair, with which very few Gentlemen have Opportunities of being well acquainted. The Wages, Sir, are the smallest Inducements which fix the Seamen in their Choice. The Prospect of kinder Treatment, the Certainty of returning Home in a fixed Time, and the Power of chusing what Voyages they will undertake, cannot but be acknowledged very reasonable Motives of Preference.

'On the contrary, Sir, when they are once engaged in a Ship of War, they know neither whither they are going, what Dangers they shall encounter, what Hardships they shall suffer, nor when they shall be dismissed.

'Besides, Sir, I do not think it possible by any Law to limit the Wages to be paid by Merchants, since they will charge the Term of Wages into that of a Present, or admit the Sailors to a small Share in the Freight, and so all the Precaution we can take will become ineffectual.

'In the mean time, Sir, how much shall we embarrass our own Commerce, and impair our natural Strength, the Power of our Fleets? We shall terrify our Sailors on the one Hand, and endeavour to starve them on the other; we shall not only drive

m from us by unheard-of Severities, but take away
xive that can induce them to expoſe themſelves to
er of ſuffering them.
e conſider, Sir, with what Effect Methods nearly
ing theſe were practiſed in the Reign of the late
ne, we ſhall find that not more than 1500 Seamen
ed, and thoſe at the Expence of more than 4000l.
e Effects bore no Proportion to the Means; our
re infringed, and our Conſtitution violated to no

what Reaſon, Sir, can be aſſigned for which it muſt
difficult to ſupply the Fleet now with Sailors than
her Time? This War, Sir, was demanded by the
oice, in purſuance of the particular Remonſtrances
lerchants, and it is not to be ſuppoſed that the Sai-
ny other Body of Men, engage in it with a parti-
ſtance.
therefore inclined to believe that the Suſpicion of
mbers hid in the Country, at a Diſtance from the
merely chimerical; and that if we ſhould paſs
we ſhould do nothing more than grant an oppreſ-
nconſtitutional Power of Search for what in reality
e found.
oppreſſive this Power may become in the Hands of
or inſolent Magiſtrate, any Man may diſcover
mbers that the Magiſtrate is made Judge, without
f his own Right to denominate any Man a Sailor,
e may break open any Man's Doors at any Time,
lledging any other Reaſon than his own Suſpicion;
Man can ſecure his Houſe from being ſearched, or,
his Perſon from being ſeiz'd.
y indeed be alledged, Sir, that this will be only a tem-
w, and is to ceaſe with the Exigence that made it
: But long Experience has inform'd us, that ſevere
enacted more readily than they are repeal'd; and
Men are too fond of Power to ſuffer willingly the
n of it.
ir, though the Law ſhould not be perpetuated, every
of an Infringment of our Conſtitution, makes Way
iſſolution; and the very Ceſſation of an oppreſſive

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Captain Cornwall.

SIR,

Capt. Cornwall.

'I have obſerv'd, Sir, that every Man is a himſelf ill treated, who is not treated according Opinion of his Deſerts, and will endeavour to dif Notion of the Partiality and Tyranny of the Nav general Clamours therefore are little to be regar

'I have had, from my early Years, a Comm Sea Service, and can aſſert, that I never knew one Inſtance of Injuſtice, and that was puniſhed wi rity it deſerved.'

Sir Robert Walpole.

SIR,

Sir Robert Walpole

'It is with uncommon Satisfaction that I Clauſe of this Bill regularly debated, without Impatience, or paſſionate Exclamations. I am collect from this Conduct, that the Diſpoſition of tleman is, on this Occaſion, the ſame with my ow every Expedient here propos'd will be diligentl and either be ſeriouſly approved, or be calmly

'Such Coolneſs and Impartiality, Sir, is cert red by the Importance of the preſent Queſtion; which cannot but influence the Proſperity of the many Years.

'It is not neceſſary to remind any Gentlemen portance of our Trade, of the Power of the En whom we have declar'd War in Defence of it, o ceſſity of ſhewing the World that our Declarat are not empty Noiſes, or Farces of Reſentment. be proper, Sir, to remark, that this is not the o nor the moſt powerful, whoſe Attempts we hav provide againſt, and who may oblige us to exer Power, and practiſe every Expedient to increaſe

'The War has been hitherto proſecuted wi Vigour, with all the Attention that its Importa and with Succeſs not diſproportioned to our P nor will it ever be ſuffered to languiſh, if the ceſſary for carrying it on are not denied.

'Nothing is more evident, Sir, than that the er of the Nation conſiſts in its Fleets, which the Care of the Government, ſo numerous, tha Power of many Nations cannot equal them. B Fleets unfurniſhed with Men? How will they Dominion of the Sea, by lying unactive in our

Methods hitherto uſed have been ſufficient to
vies, and that our Preparations have therefore
ore than an expenſive Shew of War, the whole
ficiently inform'd; it is therefore not doubtful
v Meaſures muſt be taken; whether any better
ſted than are offered in this Bill, muſt be en-

gard, Sir, to the Clauſe now under our Conſide-
o be remembred, that little more is propoſed by
l the Sanction of Legality to a Power which has
rciſed by the Admiralty, without any other Au-
that of long Preſcription, the Power of iſſuing
Impreſs upon emergent Occaſions, by which Sai-
ed into the public Service.
ver, in its preſent State, muſt be allow'd to have
n in any Law, and by Conſequence, to be unli-
ary, and eaſily abuſed, and upon the whole, to
only by Neceſſity: But that Neceſſity is ſo fre-
t is often exerciſed, and therefore ought to be
the Legiſlature; and by ſuch Regulations, we
e ſaid to remove than introduce a Grievance.
ver of ſearching for Sailors, however it has been
is far from ſetting them on a Level with Felons,
or Vagabonds; or indeed from diſtinguiſhing
ir Diſadvantage, from the reſt of the Commu-
h every Individual is obliged to ſupport the Go-

hat poſſeſs Eſtates, or carry on Trade, transfer
Property to the Public; and theſe ought, by
ſon, to ſerve the Public in Perſon, that have no
ransfer. Every Man is ſecured by the Conſtitu-
njoyment of his Life, his Liberty, or his For-
erefore every Man ought reciprocally to defend
on to which he is himſelf indebted for Safety
on.
erefore, Sir, unable to diſcover in what conſiſts
of a Law by which no new Duties are enjoined,
ig requir'd, which is not already every Man's
ry Man, indeed, who is deſirous of evading the
of any of the Duties of Society, will conſider
alſion as a Hardſhip, by which he is obliged to
the general Happineſs; but his Murmurs will
ig but his own Folly and Ingratitude, and will
erve no Regard from the legiſlative Power.
in the Bill before us, Sir, Encouragement ſuffi-
luntiers, and an Offer of greater Rewards than
men think conſiſtent with the preſent State of
the

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the National Revenues; and what remains to be done with reſpect to thoſe who are deaf to all Invitations, and blind to all Offers of Advantage? Are they to ſit at Eaſe only becauſe they are idle, or to be diſtinguiſh'd with Indulgence only for want of deſerving it?

'It ſeems generally granted, Sir, that ſuch Drones are the proper Objects for an Impreſs. Let us then ſuppoſe that every Man who is willing to ſerve his Country, has laid hold of the Reward propoſed, and enter'd a Voluntier. The Fleets are not yet ſufficiently mann'd, more Sailors muſt be produc'd. Warrants are iſſued out in the common Form. The Negligent, the Imprudent, the Neceſſitous are taken. The Vigilant, the Cunning, and thoſe that have more Money find Shelter and eſcape. Can it be ſaid, that thoſe, whoſe Circumſtances, or good Fortune, enable them to ſecure themſelves from the Officers of the Impreſs, deſerve any Exemption from the public Service, or from the Hardſhips to which their Companions are expoſed? Have they diſcharged their Debt of Gratitude to the Public ſo effectually by running away from its Service, that no Search ought to be made after them? It ſeems evident, that, if it was right to ſeize the one, it is likewiſe right to purſue the other, and if it be right to purſue him, it is likewiſe right to hinder him from eſcaping the Purſuers. It is then right to veſt ſome Perſons with the Power of apprehending him, and in whom is that Power to be lodg'd, but in the Civil Magiſtrate?

'Every Man, Sir, is obliged by compulſive Methods to ſerve his Country, if he can be preval'd upon by no other. If any Man ſhall refuſe to pay his Rates or his Taxes, will not his Goods be ſeized by Force, and ſold before his Face? If any particular Methods are propoſed for obliging Seamen to contribute to the public Safety, it is only becauſe their Service is more neceſſary upon more preſſing Occaſions than that of others; upon Occaſions that do not admit of Delay, without the Hazard of the whole Community.

'I muſt confeſs, Sir, there are many Inſtances in which the Hardſhips of the ſeafaring Part of the Nation are peculiar, and truly calamitous. A Sailor, after the Dangers and Toils of a long Voyage, when he is now in the Sight of the Port, where he hopes to enjoy that Quiet which he has deſerv'd by ſo long a Series of Fatigues, to repair the Injuries which his Health has ſuffer'd, by Change of Climate, and the Diet of the Ships, and to recover that Strength which inceſſant Vigilance has worn away. When he is in Expectation of being received by his Family with thoſe Careſſes, which the Succours that he brings them naturally produce, and deſigns to reſt a while from Danger and from Care. In the midſt

midſt of theſe pleaſing Views, he is, on the ſudden, ſeiz'd by an Impreſs, and forc'd into a Repetition of all his Miſeries, without any Interval of Refreſhment. Anno 14, Geo. II. 1740.

' Let no Man, who can think without Compaſſion on ſuch a Scene as this, boaſt his Zeal for Freedom, his Regard for Bravery, or his Gratitude to thoſe who contribute to the Wealth and Power of their Country; let every Man who declares himſelf touched with the Pity which the ſlighteſt Reflection, upon ſuch a Diſappointment, muſt naturally produce, ſincerely endeavour to obviate the Neceſſity of ſuch oppreſſive Meaſures, which may at leaſt, in part, be prevented, by aſſigning to Magiſtrates the Power of hunting out of their Retreats, thoſe who neglect the Buſineſs of their Callings, and ſinger at once in Lazineſs and Want.

' There are great Numbers who retire not from Wearineſs but Idleneſs, but an unreaſonable Prepoſſeſſion againſt the public Service; and ſurely nothing is more unreaſonable, than that bad Diſpoſitions ſhould be gratified, and that Induſtry ſhould expoſe any Man to Penalties.

' Upon the whole, Sir, I am not able to diſcover, that any Man ſhould be exempted from an Impreſs, merely becauſe he finds Means to eſcape it, or becauſe Idleneſs or Diſinclination to the public Service prompts him to abſcond.

' If any Men deſerve Indulgence, in Oppoſition to the Demands of the Public, they are rather thoſe who have already in ſome Degree diſcharg'd their Duty to it, by contributing to bring in that Wealth which is the Conſequence of a proſperous and well-regulated Commerce, and without which War cannot be ſupported.

' It is not without Grief and Regret, that I am obliged to reprelent on this Occaſion, the Obſtructions which the War has ſuffer'd from thoſe at whoſe Requeſt it was undertaken; and to declare that the Conduct of the Merchants has afforded Proof that ſome Law of this Tendency is abſolutely neceſſary.

' The Merchants, Sir, who have ſo loudly complained of the Decline of Trade, the Interruption of Navigation, and the Inſolence, Rapacity and Cruelty of the Spaniards; the Merchants who filled the Nation with Repreſentations of their Hardſhips, Diſcouragements, and Miſeries, and lamented in the moſt public Manner, that they were the only Body for whom the Legiſlature had no Regard, who were abandoned to the Caprice of other Nations, were plundered Abroad, and neglected at Home; the Merchants, after having at length by their Importunities engaged the State in a War, of which they have themſelves certainly not the

Anno 14, Geo II. 1740.

leaſt Pretenſions to queſtion either the Juſtice or N
now, when, by the natural Conſequences of a nav
ment, Sailors become leſs numerous, and Ships m
cult to be equipp'd, contract in private with ſuch S
they are inclin'd to employ, and conceal them in
hired for that Purpoſe, till the Freight is ready, or
ger of an Impreſs is paſt, and thus ſecure their ow
Affairs at the Hazard of the Public, and hinder th
tions of a War, which they and they only ſollicited.

'The Danger of having other Enemies than the S
Enemies more active, more powerful, and more a
has already been mention'd; a Danger ſonear, and
dable, that he will not be thought very ſolicitou
Country, whom the bare Mention of it does not alar
Danger we are therefore to obviate by vigorous Pre
and unanimous Reſolutions, nor do I doubt but
Enemies, if they find us united, will repent of atta

'Sir, the moſt efficacious Method of manning o
which Law or Cuſtom has yet put into our Hands,
ſuſpending our Commerce by an Embargo, and yet t
Nation knows how much and by what Means it
eluded; no ſooner was it known that an Embargo
than the Sailors flew away into the Country, or h
ſelves in Corners of this great City, as from the m
dable Danger; and no ſooner did the Embargo ce
the Banks of the Rivers were again crowded witl
and all the trading Veſſels were immediately ſupplie

'As I cannot doubt, Sir, that every Gentleman
ly zealous for the Succeſs of the War, and for the
of his Country; and as the Inſufficiency of the pr
thods of providing for them is apparent, I hope tl
the Regulations propoſed by this Bill, to which I f
portant Objections, or ſome other of equal Uſe, wi
bliſhed by a general Concurrence.'

Lord Baltimore.

SIR,

Lord Baltimore.

'Though no Gentleman in this Houſe can
dently wiſh the Succeſs of the Britiſh Arms, or
willingly concur in any Meaſures that may prom
I cannot agree to the Clauſe now under our Conſ
I diſapprove it both from moral and political Motiv
approve it as neither juſt nor prudent.

'The Injuſtice of ſo flagrant an Invaſion of t
of particular Men has been already expoſed; nor i
Opinion, leſs eaſy to diſcover the Imprudence of e

all our Supplies at once, and ſweeping away all our Sailors, to ſupply a ſingle Exigency. Anno 14. Geo II. 1740.

'It has often been remarked, Sir, in Favour of a Standing-Army, that it is requiſite to have a Number of regular Forces, who, though too weak to oppoſe an Invaſion, might be able to eſtabliſh Diſcipline in a larger Body. An Obſervation which may, with much greater Juſtneſs, be applied to the Seamen, whoſe Art is much more difficult to be attained, and who are equally neceſſary in War and Peace.

'If our Stock of Seamen, Sir, be deſtroy'd, if there is not left in our trading Veſſels a ſufficient Number of experienc'd Artiſts to initiate Novices, and propagate the Profeſſion, not only our Ships of War muſt lie uſeleſs, but our Commerce ſink to nothing.

'Nor have I reaſon to believe the Naval Power of France ſo formidable, as that we ought to be terrify'd, by the Apprehenſions of it, into any extraordinary Methods of Procedure. I am informed that they have now very few Ships of Force left in their Harbours; and that they have exerted their whole Strength in the American Fleet.

'I am not, therefore, Sir, for providing againſt preſent Dangers, without Regard to our future Security; and think nothing more worthy of the Conſideration of this Aſſembly, than the Means of encouraging and increaſing our Seamen, which will not be effected by the Bill before us.

'Land Forces may be hired upon Emergencies; but Sailors are our own peculiar Strength, and the Growth of our own Soil; we are therefore above all other Regards to attend, if I may uſe the Term, to the Preſervation of the Species.'

Mr. Viner.

SIR,

'As there can be no ſtronger Objection to any Law than Ambiguity, or indeterminate Latitude of Meaning, I think it neceſſary to propoſe, that ſome Word of known and limited Import, be ſubſtituted in the Place of Sea-faring Men; an Expreſſion which, if I was aſked the Meaning of it, I ſhould find it difficult to explain. Mr. Viner.

'Are Sea-faring-Men thoſe only who navigate in the Sea? The Term is then ſuperfluous, for all ſuch are evidently comprized in the Word Seamen. Are they Bargemen or Watermen who ply on Rivers, and tranſport Proviſion or Commodities from one Inland Town to another? In that Senſe no body will affirm that it is a proper Word; and Improprieties in the Expreſſion of Laws produces Uncertainty in the Execution of them.'

Anno 14, Geo II. 1740

Captain Cornwall.

SIR,

Capt. Cornwall. 'The Term Sea-faring Men, of which an Explicatio defired, is intended to include all thoſe who live by carry ing Goods or Paſſengers upon the Water, whether the Sea Inland Rivers: Nor can we reſtrain it to a narrow Sen without exempting from the public Service great Numbe whoſe manner of Life has qualified them for it, and to whom their Country may with equal Juſtice expect Aſſiſtan as from thoſe who are engaged in foreign Traffic.'

Mr. Viner.

SIR,

Mr. Viner. 'I am far from concurring with the Honourable Gen man in his Opinion, that the Inland Watermen are, by th Profeſſion, in any degree qualified for Sea-Service, or can j perly be called Sea-faring Men.

'All Qualifications for the Service muſt conſiſt either ſome Knowledge of the Arts of Navigation, or in ſome miliarity with the Dangers of the Sea. With regard any previous Knowledge of naval Buſineſs, it is well kn that they have no Advantage over any common Labour for the manner of navigating a Ship and a Barge have the moſt part nothing in common.

'Nor are theſe Watermen, Sir, more able to ſtand firm the Terrors of the Storm, or the Noiſe of a Battle, t thoſe who follow any other Occupation. Many of them n ſaw the Sea, nor have leſs Dread of its Danger than other Inhabitants of the Inland Countries. They are th fore neither Sea-faring-Men, nor peculiarly capable of b made Seamen.

'But the Hardſhip upon particular Men is not the ſtron Objection to this Clauſe, which, by obſtructing our In Navigation, may make our Rivers uſeleſs, and ſet the w Trade of the Nation at a ſtand. For who will bring up Son a Waterman, who knows him expoſed by that Pro ſion to be impreſſed for a Seaman?

'It ſeems therefore neceſſary, Sir, either to omit Term Sea-faring-Men, or to explain it in ſuch a manner Inland Watermen may not be included.'

Lord Gage.

SIR,

Gage. 'So much has been urged againſt t thods propoſed in this Clauſe, and ſo li your of them, that it may ſeem ſuperfluou

Or to endeavour, by a multiplicity of Arguments, to prove what common Reaſon muſt immediately diſcover. But there is one Conſequence of this Clauſe which has not yet been obſerved, and which is yet too important not to be obviated by a particular Proviſo. Anno 14, Geo. II. 1740.

'It is well known, Sir, that many of thoſe to whom this Act will extend, are Freeholders and Voters for electing the Repreſentatives of the Nation; and it is therefore apparent, that Elections may be influenced by an ill-timed or partial Execution of it. How eaſy will it be when an Election approaches to raiſe a falſe Alarm, to propoſe ſome ſecret Expedition, or threaten us with an Invaſion from ſome unknown Country, and to ſeize on all the Sea-faring Voters whoſe Affections are ſuſpected, and confine them at Spithead till the Conteſt is over.

'I cannot therefore, Sir, but think it neceſſary, that if this Clauſe be ſuffered to paſs, ſome Part of its hateful Conſequences ſhould be prevented by an Exception in favour of Freeholders and Voters, which ſurely is no leſs than what every Man owes to his own Security, to the Welfare of his Country, and to thoſe by whom he has been honoured with the Care of their Liberties.'

Mr. Pelham.

SIR,

'I do not riſe in Oppoſition to the Propoſal made by that Right Honourable Member, nor do I think this the proper Time either for oppoſing or approving it. Method is of the higheſt Importance in Enquiries like theſe; and if the Order of the Debate be interrupted by foreign Queſtions or incidental Objections, no Man will be able to conſider the Clauſes before us with the Attention neceſſary to his own Satisfaction, or to the Conviction of others; the Mind will be diſſipated by a Multiplicity of Views, and nothing can follow but Perplexity and Confuſion. Mr. Pelham.

'The great End, Sir, for which we are now aſſembled, is to ſtrike out Methods of manning the Fleet with Expedition and Certainty. It is therefore proper in the firſt Place to agree upon ſome general Meaſures, to each of which there may undoubtedly be particular Objections raiſed, that may be afterwards removed by Exceptions or Proviſions; but theſe Proviſions ſhould, for the ſake of Order, be inſerted in particular Clauſes, to be ſeparately conſidered.

'Of this kind is the Exception now offered, to which I have no Objection but its preſent Impropriety, and the Interruption of the Debate which it may now occaſion; for I

ſee

Anno 14, Geo. II. 1740.

ſee at preſent no Reaſon againſt admitting it in a ſ
Clauſe.

'When it is conſidered how much the Succeſs o
War may depend upon the Succeſs of our preſent U
takings, I hope my Sollicitude for Regularity and Ex
tion will be eaſily excuſed.'

Sir John Hind Cotton.

SIR,

Sir John Hind Cotton.

'I am not able to diſcover any imminent Dang
the Nation in ſuſpending our Attention to the Clauſe
us for a few Moments; nor indeed do we ceaſe to attend
it, while we are endeavouring to mollify it, and adapt it
our Conſtitution.

'The Exception propoſed is, in the Opinion of the
nourable Gentleman, ſo reaſonable, that he declares h
ready to approve it in another Place; and to me, no
ſeems more proper of its making Part of this Bill than
As a Connection between the Clauſe and Exception ap
neceſſary and immediate, I cannot ſee why it ſhould be p
poned, unleſs it is hoped that it may be forgotten.'

Mr. Pulteney.

SIR,

Mr Pulteney.

'That this Exception ſhould be forgotten there is
Danger; for how long ſoever it be delayed, I will n
gree to the Act till I ſee it inſerted. If we ſuffer the Li
of the Freeholders to be infringed, what can we expect
to be charged with betraying our Truſt, and giving
Servitude and Oppreſſion thoſe who deputed us to this A
bly, as the Guardians of their Privileges, and the A
of their Birthright; a Charge too juſtly to be deni
too attrocious to be borne!

'Sir, the Right of a Freeholder is independent on
other Circumſtance, and is neither made more or
Wealth or Poverty: The Eſtate, however ſmall, which
a Right of voting, ought to exempt the Owner from
Reſtraint that may hinder the Exertion of his Ri
Right on which our Conſtitution is founded, and whi
not be taken away without ſubverting our whole
ment.

'To overlook the Diſtinctions which the fundamental
of our Country have made in reſpect to different Cl
Men, and to regard only the Accidents of Affluence an
ceſſity, is ſurely unjuſt in itſelf, and unworthy of this A
bly; an Aſſembly, Sir, inſtituted principally to prot
Weak againſt the Strong, and deputed to repreſent th

ve State, who are not conſiderable enough to appear Anno 14, Geo. II. 1740.
id claim a Voice in the Legiſlature.
:xpoſe an honeſt, a laborious, and an uſeful Man,
:ed by the Hands of an inſolent Officer, and drag-
the Enjoyment of his Right, only becauſe he will
:e his Conſcience, and add his Voice to thoſe of Sy-
, Dependants and Proſtitutes, the Slaves of Powe,
lges of a Court, and the Hirelings of a Faction, is
eſt degree of Injuſtice and Cruelty. Let us rather,
:p away with an Impreſs, the Drones of large For-
ıe Tyrants of Villages, and the Oppreſſors of the
t us oblige thoſe to ſerve their Country by Force.
ırtunes have had no other Effect than to make them
and worth'eſs; but let ſuch who by contributing to
ce, make every Day ſome Addition to the public
be left in the full Enjoyment of the Rights which
:rve: Let thoſe by whoſe Labour the Expences of the
furniſh'd, be excuſed from contributing to it by per-
rvice.
: is neceſſary, Sir, to have our Laws eſtabliſh'd by
:eſentatives of the People, it is neceſſary that thoſe
ıtatives ſhould be freely elected; and therefore
ıw that obſtructs the Liberty of Voters, is contrary to
amental Laws of our Conſtitution; and what Mul-
nay by this Law be either hindred from giving their
r be terrified into ſuch a Choice as by no means cor-
with their Judgments or Inclinations, it is eaſy to

n indeed of Opinion, Sir, that this Clauſe cannot be
to our Conſtitution, nor modified by any Expedient
aw, which will not lay inſupportable Hardſhips upon
on, and make Way for abſolute Power But, as it is
' that a conſtant Supply of Seamen ſhould be provided,
it not improper to obſerve, that there is one Expe-
: remaining, by which, tho' it will not much aſſiſt us
:eſent Exigence, the Fleets of this Nation may here-
conſtantly ſupported.
have at preſent great Numbers of Charity-Schools
d in this Nation, where the Children of the Poor
ın Education diſproportion'd to their Birth. This
ı no other Conſequences than to make them unfit for
ıtions by placing them, in their own Opinion, above
lgery of daily Labour, a Notion which is too much
; as Idleneſs co-operating with Vanity, can hardly
ain the Aſcendant, and which ſometimes prompts
ſupport themſelves by Practices not only uſeleſs but
pernicious

Anno 14, Geo. II 1740.

pernicious to Society. This Evil, Sir, cannot be bette ated than by allotting a reaſonable Proportion out o School to the Service of the Sea, in which by entering they cannot fail to become Proficients, and where the tainments, which at preſent too frequently produce L and Diſhoneſty, might enable them to excel, and entitl to Promotion.'

Mr. Winnington.

SIR,

Mr. Winnington.

'Notwithſtanding the Confidence with which ſom tlemen have propoſed this Ammendment, and the l with which others have conſented to it, I declare Heſitation, that I oppoſe it now, and intend to op whenever it ſhall be offered, becauſe it will defeat other Proviſions which ſhall be made in the Bill.

'I will venture to ſay, Sir, that if every Man wl by whatever Tenure, the Right of voting ſhall be ex from the Neceſſity of contributing to the public Sa his perſonal Service, every Man qualified for the S by ſome Means acquire a Vote.

'Sir, a very ſmall Part of thoſe who give their V this Nation, enjoy that Right as the Appendage of hold; to live in ſome Towns, and to be born only in gives the unalienable Privilege of voting. Any Ge to ſecure his own Intereſt, or obſtruct the public Servic by dividing a ſmall Piece of barren Ground among dred Sailors, exalt them all to Freeholders, and exem from the Influence of this Law.

'However, Sir, I am not leſs a Friend to the Freel than thoſe who propoſe the Exception in their Fav in my Opinion the great Intereſt of the Freeholder Preſervation of their Freeholds, which can only be by a vigorous Exertion of the Power of the Nation War which is now declared againſt the Spaniards.'

Lord Barrington.

SIR,

Lord Barrington.

'By the Obſervations which I have Opportunitie king at the Place which I have the Honour to repr am convinc'd of the Influence that this Law will ha all the Boroughs along the Coaſts. There moſt of ters are, in one Senſe or other, Sea-faring Men, being all of them Owners of Veſſels, and in ſome Degree ac with Navigation; they may therefore be hurried awa Choice of an officious or oppreſſive Magiſtrate, who Partiality and Injuſtice, obtain a Majority, contrary t

neral Inclination of the People, and determine the Election by his own Authority. Anno 14, Geo. II. 1740.

Sir William Yonge.

SIR,

'If every Freeholder and Voter is to be exempted from the Influence of the Law, the Bill that we are, with ſo much Ardor, endeavouring to draw up and rectify, and of which the Neceſſity is ſo generally acknowledged, will be no other than an empty Sound, and a Determination without an Object; for while we are empowering the Government to call Seamen into the Service, we are exempting almoſt all that are able to ſerve from the Denomination of Seamen: What is this but to diſpute without a Subject? to raiſe with one Hand and demoliſh with the other?

'In the Weſtern Parts of the Nation, Sir, where I reſide, many who vote at Elections claim their Privilege by no other Title than that of boiling a Pot; a Title which he who has it not, may eaſily obtain, when it will either gratify his Lazineſs or his Cowardice, and which, tho' not occaſionally obtained, ſeems not ſufficient to ſet any Man out of the Reach of a juſt and neceſſary Law.

'It is therefore, Sir, undoubtedly requiſite that the Terms of the Exception ſhould be explicite and definitive, and that only thoſe ſhould be exempted who have ſuch Poſſeſſions or Qualifications as this Aſſembly ſhall think a juſt Title to Exemption. For on the Weſtern Coaſt, from whence great Supplies may be expected, almoſt every Sailor has a Vote, to which nothing is there required, but to hire a Lodging and boil a Pot; after which, if this Exception be admitted in all its Latitude, he may ſit at Eaſe amidſt the Diſtreſſes of his Country, ridicule the Law which he has eluded, and ſet the Magiſtrate at open Defiance.' Sir William Yonge.

Sir Robert Walpole.

SIR,

'As I think, Sir, ſome Exception may be juſt and proper, I ſuppoſe every Gentleman will concur with me in rejecting one of ſuch Extent as ſhall leave no Object for the Operation of the Law.

'It is in my Opinion proper to reſtrain the Exemption to thoſe Freeholders who are poſſeſt of ſuch an Eſtate, as gives a Vote for the Repreſentative of the County, by which thoſe thoſe Privilege ariſes from their Property, will be ſecured, it ſeems reaſonable that thoſe who have Privileges with Property, ſhould purchaſe them by their Services.' Sir Robert Walpole

Anno 14, Geo. II. 1740.

Mr. Brown.

SIR,

Mr. Brown. ‘ The Exception proposed will not only defeat the E the Bill by leaving it few Objects, but will obſtruct the E tion of it on proper Occaſions, and involve the Magiſtr Difficulties which will either intimidate him in the Ex of his Authority, or if he perſiſts in diſcharging his with Firmneſs and Spirit, will perhaps oblige him ſome to repent of his Fidelity.

‘ It is the neceſſary Conſequence, Sir, of a Seaman's feſſion, that he is often at a great Diſtance from the Pl his legal Settlement, or patrimonial Poſſeſſions; and h therefore aſſert of his own Circumſtances what is moſt c nient without Danger of Detection. Diſtance is a Se that prompts many Men to Falſhood by which only Va gratified, and few Men will tell Truth in Oppoſition t Intereſt, when they may lie without Apprehenſion of convicted.

‘ When therefore a Magiſtrate receives Directions t preſs all the Seamen within his Diſtrict, how few will h who will not declare themſelves Freeholders in ſome d Country, or Freemen of ſome obſcure Borough. It is Purpoſe, Sir, that the Magiſtrate diſbelieves what we c confute; and if in one Inſtance in a Hundred, he ſho miſtaken, and, acting in Conſequence of his Error, fo Freeman into the Service, what Reparation may not b manded?

‘ I therefore propoſe it to the Conſideration of the mittee,' whether any Men ought to claim Exemption this Law by a Title, that may ſo readily be procur'd, ſafely uſurped.’

Mr. Attorney General Ryder.

SIR,

Mr. Ryder. ‘ The Practice of impreſſing, which has been decl againſt with ſuch vehement Exaggerations, is not only f ed on immemorial Cuſtom, which makes it Part of the mon Law, but is likewiſe eſtabliſh'd by our Statutes; remember to have found it in the Statutes of Queen I and therefore cannot allow that it ought to be treated a gal, and anti-conſtitutional.

‘ That it is not inconſiſtent with our Conſtitution, m proved from the Practice of erecting the Royal Sta upon great Emergencies, to which every Man was o immediately to repair: This Practice is as old as our Co

n, and, as it may be revived at Pleaſure, may be properly tioned as equivalent to an Impreſs.'

Mr. Viner.

Sir,

'This Word, which the learned Member has, by his derful Diligence, diſcover'd in the Statutes, may perhaps there, but in a Signification far different from that which bears at preſent. The word is, without Doubt, originally nch, *Prêt*, and imply'd what is now expreſſed by the Term ady; and to impreſs any Man was in thoſe Days only make him ready, or engage him to hold himſelf in Rea-neſs, which was brought about not by Compulſion, Purſuit, d Violence, but by the Allurements of a pecuniary Re-ard, or by the Obligation of ſome antient Tenure.'

Mr. Viner.

This Debate ended in a Report, That they had made ſome rogreſs, and deſired leave to ſit again.

The 5th. Read a firſt time, a Bill for continuing an Act h of King George II. to explain a former Act 11th of ing George I. for the better regulating the Manufacture f Cloth in the Weſt-Riding of Yorkſhire, and for making he ſaid Acts more effectual.

Received a Petition of divers Merchants, Exporters of he Woollen and Britiſh Manufactories and Fiſheries; as likewiſe Owners and Maſters of Ships concerned in the Navigation of theſe Ships to foreign Parts; alſo thoſe concerned in the Coal and Coaſting-Trade, in behalf of themſelves and others, complaining of the unreaſonable Wages demanded, and paid to Mariners in the Merchant's Service of late, which is more than double of what is paid by any foreign Nation in Europe, (beſides Crimpage, and a Month's Pay advanced to each Mariner) to the Diſ-couragement of the Trade of theſe Kingdoms: And repre-ſenting to the Houſe, that this growing Evil, if not pre-vented by a Law, will hinder the Mariners from ever en-gaging themſelves on board the Ships of War, while the Proportion of Wages paid to Mariners in the King's Service, and that of the Merchant is ſo great; the Wages paid to Mariners in the King's Service being about 23s. and with other Advantages about 28s. per Month, when the Mariners in the Merchant's Service are paid, and demand 3l. and 3l. per Month: And further repreſenting, that as the Petitioners apprehend the preſent Practice carried on in preſſing Mariners from on board the Homeward-bound Merchant-Ships, and from the Shore, does not anſwer the propoſed; and that a great many Perſons make it their

Petition relating to Seamen's Wages.

Anno 14. Geo II. 1740.

Buſineſs to ſeduce and encourage Mariners to s
the Intent of an Act 1ſt of King George II.
Regulation of Mariners in the Merchant's Ser
ther, complaining of vexatious Suits carried
Maſters and Owners of Ships, by the Advice
ners in the High Court of Admiralty: And
forth, that the Act of Navigation obliges
carry three Fourths Engliſh Mariners, which
in force when the preſent War is over; but
often in foreign Ports enter, or are entered on
jeſty's Ships, it is impoſſible to comply with th
the Merchant-Ships are liable to become a
the very Man of War who has taken their M
And therefore praying the Houſe to perm
heard by themſelves or Counſel upon the ſaic
to grant that ſuch Proviſion may be made in
lating the Price of Mariner's Wages in
Service, and to prevent ſuch growing Abuſ
thoſe under the Sanction of the High Court o
order effectually to man his Majeſty's Ships
impreſſing, and to encourage the Trade an
theſe Kingdoms, as to the Houſe ſhall ſeem
to lie on the Table.

Votes relating to the Exportation of Wool.

In a grand Committee, took into Conſide
ral Petitions concerning the Decay of the
factory, &c. and reported the Reſolutions
ſame, viz. Reſolved, That the Exportation
Great-Britain and Ireland to foreign Parts,
dicial to the Woollen-Manufactures of this

Reſolved, That the Laws now in being a
to prevent the Exportation of Wool from G
Ireland to foreign Parts.

Reſolved, That a public Regiſter of Wool
Britain and Ireland, is the moſt effectual
venting the Exportation thereof to foreign
was agreed to by the Houſe: After which
ſolved to addreſs his Majeſty, That he wo
direct the Commiſſioners for Trade and Pla
the Receſs of Parliament, to prepare a Sch
giſtering the Wool of Great Britain and Ir
before this Houſe the next Seſſion of Parlian

Ordered, That a Bill be brought in for t
of the Manufacture of Woollen Broad Clo
vent Abuſes in the making of the ſame.

Farther Proceedings on the Seamen's Bill.

The 6th. In a grand Committee, made a
on the Bill for the Encouragement of Sea
better and ſpeedier manning his Majeſty's F

9th. In a grand Committee, on the Bill for the Encouragement of Seamen, a Clauſe was read, by which every ble, Headborough, Tything-man, or other Perſon, was to be examined upon Oath by the Juſtices of the who were empowered to lay a Fine upon them for any ſt, Offence, or Connivance; after which Sir John Barpoke to the following Effect: Anno 14, Geo. II 1740.

SIR,

It is the peculiar Happineſs of the Britiſh Nation, that Sir John Barnard. aw can be made without the Conſent of their Repreſentatives; and I hope no ſuch Infatuation can ever fall upon m, as may influence them to chuſe a Repreſentative capable of concurring in Abſurdities like this.

'The Folly, the Iniquity, the Stupidity of this Clauſe, an only be conceived by hearing it repeated; it is too flagrant to be extenuated, and too groſs to admit Exaggerations; to oblige a Man to make Oath againſt himſelf, to ſubject himſelf by his own Voice to Penalties and Hardſhips, is at once cruel and ridiculous; a wild Complication of Tyranny and Folly.

'To call upon any Man to accuſe himſelf, is only to call upon him to commit Perjury, and has therefore been always accounted irrational and wicked; in thoſe Countries where it is practiſed, the Confeſſion is extorted by the Rack, which indeed is ſo neceſſary on ſuch Occaſions, that I ſhould not wonder to hear the Promoters of this Clauſe openly declaring for the Expediency of Tortures.

'Nothing is more evident than that this Bill, however the Importance of the Occaſion may be magnified, was drawn up without Reflection, and that the Clauſes were never underſtood by thoſe that offered them; Errors like theſe muſt ariſe only from Precipitation and Neglect, for they are too groſs to be committed either by Ignorance or Deſign.

'To expoſe ſuch Abſurdities is indeed eaſy, but not pleaſing; for what End is anſwered by pointing at Folly, or how is the public Service advanced by ſhewing that the Methods propoſed are totally to be rejected? Where a Propoſition is of a mixed kind, and only erroneous in Part, it is an uſeful and no diſagreeable Taſk to ſeparate Truth from Error, and diſentangle from ill Conſequences, ſuch Meaſures as may be purſued with Advantage to the Public; but mere Stupidity can only produce Compaſſion, and afford no Opportunity for Enquiry or Diſpute.'

Sir

Anno 14, Geo. II. 1740

Sir Charles Wager.

SIR,

Admiral Wager.

'This Clauſe however contemptuouſly treated, h
already paſſed into a Law by a Parliament which bro
Diſhonour upon the Britiſh Nation, by a Parliament wh
courted and dreaded by the greateſt Part of the U
and was drawn up by a Miniſtry that have given th
terity no Reaſon to treat them with Deriſion and Con

'In the Reign of Queen Anne, this Method of Pro
was approved and eſtabliſhed, and we may judge of t
priety of the Meaſures followed in that War, by the
which they procured.

'Thoſe therefore by whom this Bill was drawn
committed no new Abſurdities, nor have propoſed an
which was not enacted by the wiſeſt of our Predec
one of the moſt illuſtrious Periods of our Hiſtory.'

Mr. Gibbon.

SIR,

Mr. Gibbon.

'I am far from thinking a Propoſition ſufficientl
ded by an Aſſertion that it was admitted by our Pred
for, tho' I have no Inclination to vilify their Memor
without Scruple, affirm that they had no Pretenſions
libility, and that there are in many of our Statutes
of ſuch Ignorance, Credulity, Weakneſs, and Error,
not be conſider'd without Aſtoniſhment.

'In Queſtions of an abſtruſe and complicated Na
certain, Sir, that Experience has taught us what co
have been diſcovered, previouſly, by the Wiſdom o
ceſtors; and we have found by their Conſequences
propriety of many Practices which they approved, a
we ſhould have equally applauded in the ſame Circu

'But to what Purpoſe is Obſervation, if we muſt
Eyes againſt it, and appeal for ever to the Wiſdo
Anceſtors? if we muſt fall into Error, merely bec
were miſtaken, and ruſh upon Rocks out of Vene
thoſe who were wreck'd againſt them?

'In Queſtions eaſily to be examin'd, and Deter
which comprized no perplexing Contrarieties of In
Multiplicity of Circumſtances, they were equally li
ourſelves to be ſupine and negligent, to ſink into
or be ſurprized by Haſte. That the Clauſe now
was enacted by them, muſt be aſcribed merely to the
the Seſſion in which it was brought before them.
in which ſo many Enquiries of the higheſt Importa
to be made, and ſo great a Diverſity of Views to be

is no Wonder that ſome Abſurdities ſhould eſcape Anno 14, Geo
t Detection. II. 1740

the Fourth of the Reign of the Queen, this Bill was
it in, as now, at the latter End of a Seſſion, when the
tion of the Houſe was fatigued and diſtracted, and it
hurried through both Houſes, and ratified by her Ma-
with very little Conſideration.

But then, as this Circumſtance may be juſtly termed an
xcuſation of their Error, it ought to be a Leſſon of Cau-
n to us, that we may not be, in the like manner, betrayed
to the ſame Weakneſs.'

Mr. Pelham.

SIR,

'The Conduct of our Predeceſſors ſeems not to ſtand in Mr. Pelham.
eed of any Excuſe: for it might be eaſy to vindicate it by
rguments, but that it is more proper to approve it by Imi-
ation.

'Whenever the Bill was paſſed, or how haſtily ſoever the
aw was enacted, it was, I believe, rather the Effect of Ne-
ceſſity than of Inadvertency; of the ſame Neceſſity which
ow preſſes, and which is very ill conſulted by tedious De-
ates.

'They were then involved in a War, and were not ſo
iſtracted by private Intereſts as not to unite in the moſt vi-
orous Oppoſition of their Enemies. They knew that the
ublic Good is often promoted by the temporary Inconve-
iencies of Individuals; and, when Affairs of the higheſt Im-
ortance demanded their Attention, when the Security of the
hole Nation and the Happineſs of their Poſterity were the
bject of their Enquiries, they wiſely ſuffered leſs Conſide-
ations to paſs without ſuperfluous and unſeaſonable Soli-
itude.

'How juſtly they reaſon'd, Sir, and what Vigour their
eſolutions gave to the military Operations, our Victories are
ufficient Proof: And if Experience be the ſureſt Guide, it
annot be improper to imitate thoſe who, in the ſame Cir-
umſtances with ourſelves, found Means to raiſe the Honour,
nd improve the Commerce of their Country.

'That our Circumſtances are the ſame with thoſe of the Par-
iament by which this Law was made, is obvious beyond Diſ-
ute; or where they vary, the Difference is perhaps to our Diſ-
dvantage. We have, Sir, the ſame Enemies, or, at leaſt, have
aſon to apprehend the ſame; but have little Hope of the
me Allies. The preſent War is to be carried on at a great
Diſtance, and in more Places at the ſame Inſtant; we can-
not

Anno 14, Geo II. 1740.

not therefore ſupply our Ships occaſionally, but muſt raiſe great Numbers in a ſhort Time.

'If therefore it was then concluded, that the Method under our Examination was uſeful; if Meaſures, not eligible in themſelves, may be authorized by Neceſſity, why may not we, in Compliance with the ſame Exigence, have Recourſe to the ſame Expedients?'

Sir William Yonge.

SIR,

Sir William Yonge.

'How much Weight is added to the Determination of the Houſe, by the Dignity of their Procedure, and the Decency of their Diſputations, a ſlight Knowledge of Mankind is ſufficient to evince. It is well known that Government is ſupported by Opinion; and that he who deſtroys the Reputation, deſtroys the Authority of the legiſlative Power. Nor is it leſs apparent, that he who degrades Debate into Scurrility, and deſtroys the Solemnity of Conſultation, endeavours to ſink the Houſe into Contempt.

'It was therefore, Sir, with Indignation and Surprize that I heard the Clauſe before us cenſur'd with ſuch Indecency of Language, and the Authors of it treated with Contumelies and Reproaches that meer Error does not deſerve, however apparent, but which were now vented before any Error was detected.

'I know not, Sir, why the Gentlemen who were thus indecently attack'd, have ſuffer'd ſuch Reproaches without Cenſure and without Reply. I know not why they have omitted to put the Honourable Gentleman in Mind of the Reſpect due to this Aſſembly, or to the Characters of thoſe whom he oppoſes; Gentlemen equally ſkill'd with himſelf in the Subject of our Enquiries; and whom his own Attainments, however large, or his Abilities, however comprehenſive, cannot give him a Right to charge with Ignorance or Folly.

'To reproach Men with Incapacity is a cheap Method of anſwering their Arguments, but a Method which the Rules of this Houſe ought to exclude from our Debates, as the general Civility of the World has baniſh'd it from every other Place of Concourſe or Converſation.

'I, for my Part, Sir, ſhall always endeavour to confine my Attention to the Queſtion before us, without ſuffering my Reaſon to be biaſſed, or my Enquiries diverted by low Altercations, or perſonal Animoſities; nor when any other Man deviates into reproachful and contemptuous Language, ſhall I be induc'd to think more highly of either his Arguments or Capacity.'

Sir

Sir John Barnard.

SIR,

Sir John Barnard.

'I have always heard it repreſented as an Inſtance of Integrity when the Tongue and Heart move in Concert, when the Words are Repreſentations of the Sentiments; and have therefore hitherto endeavoured to explain my Arguments with Perſpicuity, and to impreſs my Sentiments with Force; I have thought it Hypocriſy to treat Stupidity with Reverence, or to honour Nonſenſe with the Ceremony of a Confutation. As Knavery ſo Folly that is not reclaimable, is to be ſpeedily diſpatched, Buſineſs is to be freed from Obſtruction, and Society from Nuſance.

'Nor, Sir, when I am cenſured by thoſe whom I may offend by the Uſe of Terms correſpondent with my Ideas, will I, by a tame and ſilent Submiſſion, give Reaſon to ſuſpect that I am conſcious of a Fault, but will treat the Accuſation with open Contempt, and ſhew no greater Reward to the Abettors, than to the Authors of Abſurdity.

'That Decency is of great Uſe in public Debates, I ſhall readily allow; it may ſometimes ſhelter Folly from Ridicule, and preſerve Villany from public Detection; nor is it ever more carefully ſupported, than when Meaſures are promoted that nothing can preſerve from Contempt, but the Solemnity with which they are eſtabliſhed.

'Decency is a proper Circumſtance; but Liberty is the Eſſence of parliamentary Diſquiſitions: Liberty is the Parent of Truth; but Truth and Decency are ſometimes at Variance: All Men and all Propoſitions are to be treated here as they deſerve; and there are many who have no Claim either to Reſpect or Decency.'

Mr. Winnington.

SIR,

Mr. Winnington.

'That it is improper in its own Nature, and inconſiſtent with our Conſtitution, to lay any Man under an Obligation to accuſe himſelf, cannot be denied; it is therefore evident, that ſome Amendment is neceſſary to the Clauſe before us.

'I have for this Reaſon drawn up an Amendment, Sir, which, if approved by the Committee, will, in my Opinion, remove all the Objections to this Part of the Bill, and by reconciling it with our natural and legal Rights, I hope, induce thoſe to approve it who have hitherto oppoſed it.

I therefore propoſe that theſe Words ſhould be ſubſtituted inſtead of thoſe which are the Subject of the Debate, or ſome other to this Purpoſe; That no Perſon ſhall be liable to be

Anno 14, Geo II. 1740.

fined by virtue of this Act, unleſs a Witneſs being ex
ſhall make Oath of the Miſdemeanour or Neglect.

' Thus the Neceſſity of examining Men upon C
their own Cauſe will be entirely taken away, and
Clauſe will then ſtand, there will remain no Suſpicion
juſtice, or Oppreſſion, becauſe none can be practiſed
the Concurrence of many Perſons of different Intereſt

Mr. Horatio Walpole.

SIR,

Mr. Horatio Walpole.

' It does not yet appear that the Gentlemen wh
engaged in this Debate have ſufficiently attended to t
gence of our Affairs, and the Importance of the Q
They have laviſhed their Oratory in declaiming u
Abſurdity of the Methods propoſed, and diſcovered t
gacity, by ſhewing how future Navies may be ſuppli
Charity-Schools, but have ſubſtituted no Expedients
Place of thoſe which they ſo warmly condemn, nor ha
deſcended to inform us, how we may now guard our C
man our Fleets for immediate Service.

' There are ſome Circumſtances, Sir, of the preſe
which make our Neceſſity of raiſing Sea Forces great
in the Times of King William and Queen Anne
chief Advantages that we gained over the French
Wars, were the Conſequences of our Victories by La

' At Sea, Sir, the Balance was almoſt equal, tho' th
Fleet and ours were united; nor did they quit the
cauſe their Fleets were deſtroyed, but becauſe th
obliged to recruit their Land Forces with their
Should they now declare War againſt us, they w
under no ſuch Neceſſity of defrauding the Sea Serv
they have now on foot an Army of 160,000 Men, w
maintained at no greater Expence than 40,000 by th
Government; as they are therefore, Sir, ſo formid
Land, we have no way of oppoſing them but by
Forces.

' Nor is their Navy ſo contemptible as ſome hav
by Conjecture or Miſinformation repreſented it. T
which they have diſpatched to America conſiſts not
than twenty Ships, of which the leaſt carry ſixty G
they are fitting out now an equal Number in their ow
beſides, their Eaſt-India Company is obliged to fu
Ships of the Line, at the Demand of the Governme

' Thus it appears we have Neighbours ſufficiently
to alarm us with the Senſe of immediate Danger
which is made more imminent by the ex- M

which the French man their Fleets, and which we muſt imitate if we hope to oppoſe them with Succeſs. Anno 14, Geo II. 1740.

'I need not ſay how little we can depend upon any Profeſſions of Neutrality, which will be beſt obſerved when they cannot be ſecurely violated; or upon the pacific Inclination of their Miniſter; which Intereſt, Perſuaſion or Caprice, may alter, and to which it is not very honouroble to truſt for Safety. How can that Nation ſink lower, which is only free, becauſe it is not invaded by its Neighbours; and retains its Poſſeſſions, only becauſe no other has Leiſure or Inclination to take them away!

'If it be aſked what can prompt the French to interrupt us in the Proſecution of our Deſigns, and in the Puniſhment of thoſe who have plundered and inſulted us? It is not only eaſy to urge the ſtrict Alliance between the two Crowns, the Ties of Blood, the Conformity of Intereſts, and their equal Hatred of the Engliſh, but another more immediate Reaſon may be added. It is ſuſpected that under Pretence of vindicating our own Rights, we are endeavouring to gain the Poſſeſſion of the Spaniſh Dominions, and engroſs the Wealth of the new World, and that therefore it is the Intereſt of every Power, whoſe Subjects traffic to thoſe Countries, to oppoſe us.

'Thus, whether we ſucceed or fail in our Attempts on America, we have the French Power to apprehend. If we make Conqueſts, they may probably think it neceſſary to obviate the Torrent of our Victories, and to hinder the Increaſe of our Dominions, that they may ſecure their own Trade, and maintain their own Influence.

'If we ſhould be defeated, of which no Man, Sir, can deny the Poſſibility, the Inclination of all to inſult the Depreſſed, and to puſh down the Falling is well known; nor can it be expected that our hereditary Enemies would neglect ſo fair an Opportunity of attacking us.

'How they might ravage our Coaſts, and obſtruct our Trade, how they might triumph in the Channel, and block us up in our own Ports, bombard our Towns, and threaten us with Invaſions, I hope I need but barely mention, to incite this Aſſembly to ſuch Diſpatch in manning our Fleets, as may ſecure us at once from Inſults, and from Terror.

'It is undoubtedly, Sir, in our Power to raiſe a naval force ſufficient to awe the Ocean, and reſtrain the moſt daring of our Enemies from any Attempts againſt us, but this muſt be effected by Harangues, Objections, and Diſputations.

'There is nothing, Sir, more frequently the Subject of Raillery or Declamation, than the Uſefulneſs or Danger of

Anno 14, Geo II. 1740

a Standing-Army, to which I declare myſelf no other inclined than by my Concern for the common Safety; I willingly allow that not one Soldier ought to be ſupported the Public, whoſe Service is not neceſſary; but ſurely n of thoſe who declare ſo warmly for the Honour and Pr leges of their Country, would expoſe it to the Inſult foreign Powers without Defence. If therefore they th the Danger of Land-Forces more than equivalent to Benefit, they ought unanimouſly to concur in the Increa our naval Strength, by which they may be protected, cannot be oppreſſed: They ought willingly to give t Aſſiſtance to any Propoſitions for making the Fleet for able, that their Declarations againſt the Army may nc thought to proceed from a Reſolution to obſtruct the Mea of the Government, rather than from Zeal for the Con tion. For he that equally oppoſes the Eſtabliſhment of Army, and the Improvement of the Navy, declares in fect againſt the Security of the Nation; and tho', perh without Deſign, expoſes his Countrymen to the Merc their Enemies.'

Mr. Pulteney.

SIR,

Mr Pulteney.

'I cannot diſcover for what Reaſon the Bill before ſo vigorouſly ſupported, but muſt obſerve that I have ſel known ſuch vehement and continued Efforts produced mere public Spirit, and unmingled Regard for the Happ of the Nation. Nothing, Sir, that can be urged in fa of the Meaſures now propoſed, has been omited. W Arguments are confuted, Precedents are cited; when Pr dents fail, the Advocates for the Bill have Recourſe to ror and Neceſſity, and endeavour to frighten thoſe w they cannot convince.

'But perhaps, Sir, theſe formidable Phantoms may be put to flight, and, like the other Illuſions of Cowar diſappear before the Light. Perhaps this Neceſſity wil found only chimerical; and theſe Dangers appear only Viſions of Credulity, or the Bugbears of Impoſture.

'To arrive at a clear View of our preſent Conditio will be neceſſary, Sir, not to amuſe ourſelves with ge Aſſertions, or overwhelm our Reaſon by terrifying Exa

wer, and has been ſupported, not by its own Anno 14, Geo. II. 1740.
nt by the Intereſts of its Neighbours. The vaſt
of the Spaniards are only an empty Shew; they
/ithout Inhabitants, and by Conſequence without
hey are rather Excreſcences than Members of
:hy, and receive Support rather than communi-
ıe diſtant Branches of their Empire the Govern-
ıiſhes, as the vital Motion in an expiring Body;
uggle:, which they now make, may be termed
nies than Efforts.

Spain therefore, unaſſiſted, we have nothing to
and yet from thence we have been threatened
and Invaſions.

ıe Condition of the French is far different, cannot
their Commerce flouriſhes, their Dominions are
their Wealth increaſes, and their Government
th full Vigour: Their Influence is great, and
s formidable. But I cannot allow, Sir, that they
tained ſuch a Height of Power as ſhould alarm
ſtant Apprehenſions; or that we ought to ſecure
gainſt them by the Violation of our Liberties.
: that the Loſs of Freedom, and the Deſtruction
litution, are the worſt Conſequences that can be
l from a Conqueſt; and that to a Slave the
his Maſter is of no great Importance, it is evi-
the Power of the French is of ſuch kind as can
ıs remotely, and conſequentially. They may fill
nt with Alarms, and ravage the Territories of
y their numerous Armies, but can only injure us
ıf their Fleets. We may wait, Sir, without a
ɔr, tho' not without ſome Degree of Anxiety,
ıf their Attempts upon the neighbouring Princes,
be reduced to fight for our Altars and our
t by a ſecond Armada, which, even then, the
t favour, and a thouſand Circumſtances concur to

ıt no ſuch Fleet can be fitted out by the united
of the whole World; that our Navy, in its
ɛ, is ſuperior to any that can be brought againſt
iſters ought not to be ignorant: And therefore to
Nation with Apprehenſions of Armies hovering
and of Conquerors to be waſted over by ſuper-
ns, is to deſtroy that Happineſs which Govern-
rdained to preſerve; to ſink us to Tameneſs and
and to betray us to Inſults and to Robberies.

Danger, Sir, be ſuch as has been repreſented, to
we impute it? Upon whom are our Weak-
neſs,

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neſs, our Poverty, and our Miſeries to be charg
whom; but thoſe who have uſurped the Direction
which they did not underſtand, or which their Sol
the Preſervation of their own Power hindered t
attending?

' That the Spaniards, Sir, are now enabled to
ſiſtance, and perhaps to inſult and depopulate our
that the French have diſpatched a Fleet into the
Seas, to obſtruct, as may be conjectured, the Prog
Arms, and that we are in Danger of meeting an
which we did not expect, is too evident to be con

' But, Sir, is not the Spirit of our Enemies
quence rather of our Cowardice than of their own
Does not the Oppoſition to our Deſigns, by wh
tion it ſhall be made, ariſe from the Contempt
been brought upon us by our Irreſolution, Forbe
Delays? Had we reſented the firſt Inſult, and re
earlieſt Loſſes by vigorous Reprizals, our Merchan
ago carried on their Traffic with Security, ou
would have courted us with Reſpect, and our Allie
us with Confidence.

' Our Negotiations, Treaties, Propoſals, and C
not only afforded them Leiſure to collect their Fo
their Fleets, and fortify their Coaſts, but gave the
Spirit to reſiſt thoſe who could not be conquered b
own Cowardice and Folly. By our ill-timed Pa
lingering Preparations, we encouraged thoſe to u
us, who would otherwiſe have only hated us in
deterred thoſe from declaring in our Favour, wh
or Gratitude might have inclined to aſſiſt us. Fo
ſupport thoſe from whom no mutual Support can b
And who will expect that thoſe will defend their
deſert themſelves?

' But, Sir, however late our Reſentment was
had the War been proſecuted vigorouſly after it w
we might have been now ſecure from Danger,
from Suſpence, nor would any thing have remai
give Laws to our Enemies.

' From the Succeſs of Vernon, with ſo fe
Forces, we may conjecture what would have bee
with an Armament proportioned to his Undert
why he was not better ſupplied, no Reaſon has yet
nor can it be eaſily diſcovered why we either di
the War before our Enemies had concerted thei
or delay it till we had formed our own.

' Notwithſtanding ſome Opportunities have be
and all the Advantages of a ſudden Attack have

ably loſt; notwithſtanding our Friends, Sir, have learned Anno 14, Geo. II. 1740.
deſpiſe and neglect us, and our Enemies are animated to inſidence and Obſtinacy, yet our real and intrinſic Strength continues the ſame; nor are there yet any Preparations made againſt us by the Enemy, with Views beyond their own Security and Defence. It does not yet appear, Sir, that our Enemies, however inſolent, look upon us as the proper Objects of a Conqueſt, or that they imagine it poſſible to beſiege us in our own Ports, or to confine us to the Defence of our own Country. We are not therefore to have Recourſe to Meaſures, which, if they are ever to be admitted, can be juſtified by the utmoſt Diſtreſs; and can only become proper, as the laſt and deſperate Expedient. The Enemy, Sir, ought to appear not only in our Seas, but in our Ports, before it can be neceſſary that one Part of the Nation ſhould be enſlav'd for the Preſervation of the reſt.

'To deſtroy any Part of the Community, while it is in our Power to preſerve the whole, is certainly abſurd, and inconſiſtent with the Equity and Tenderneſs of a good Government: And what is Slavery leſs than Deſtruction? What greater Calamity has that Man to expect, who has been already deprived of his Liberty, and reduced to the Level with Thieves and Murderers? With what Spirit, Sir, will he draw his Sword upon his Invaders, who has nothing to defend? Or why ſhould he repel the Injuries which will make no Addition to his Miſery, and will fall only on thoſe to whom he is enſlav'd?

'It is well known that Gratitude is the Foundation of our Duty to our Country, and to our Superiors, whom we are obliged to protect on ſome Occaſions, becauſe upon others we receive Protection from them, and are maintain'd in the quiet Poſſeſſion of our Fortunes, and the Security of our Lives. But what Gratitude is due to his Country from a Man diſtinguiſh'd without a Crime by the Legiſlature, from the reſt of the People, and mark'd out for Hardſhips and Oppreſſions? From a Man who is condemn'd to Labour and to Danger, only that others may fatten with Indolence, and ſlumber without Anxiety? From a Man who is dragged to Miſery without Reward, and hunted from his Retreat, as the Property of his Maſter?

'Where Gratitude, Sir, is not the Motive of Action, which may eaſily happen in Minds not accuſtom'd to obſerve the Ends of Government and Relations of Society, Intereſt never fails to preſide, which may be diſtinguiſh'd from Gratitude, as it regards the immediate Conſequences of Actions, and confines the View of preſent Advantages. But what Intereſt can be gratified by a Man who is not Maſter of his own Actions,

Anno 14, Geo II 1740.

Actions, nor ſecure in the Enjoyment of his Acquiſitions? Why ſhould he be ſollicitous to increaſe his Property, which may be torn from the Poſſeſſion of it in a Moment? Or upon what Motive can he act, who will not become more happy by doing his Duty?

'Many of thoſe, to whom this Bill is propos'd to extend, have raiſed Fortunes at the Expence of their Eaſe, and at the Hazard of their Lives; and now ſit at Reſt, enjoying the Memory of their paſt Hardſhips, and inciting others to the Proſecution of the ſame Adventures: How will it be more reaſonable to drag theſe Men from their Houſes, than to ſeize any other Gentleman upon his own Eſtate? And how negligently will our Navigation and our Commerce be promoted, when it is diſcover'd that either Wealth cannot be gained by them; or, if ſo gained, cannot be enjoy'd?

'But it is ſtill urged, Sir, that there is a Neceſſity of manning the Fleet; a Neceſſity which indeed cannot totally be denied, tho' a ſhort Delay would produce no frightful Conſequences, would expoſe us to no Invaſions, nor diſable us from proſecuting the War. Yet, as the Neceſſity at leaſt deſerves the Regard of the Legiſlature, let us conſider what Motives have hitherto gain'd Men over to the public Service; let us examine how our Land-Forces are raiſed, and how our Merchants equip their Ships. How is all this effected without Murmurs, Mutinies, or Diſcontent, but by the natural and eaſy Method of offering Rewards?

'It may be objected, Sir, that Rewards have been already propos'd without Effect; but, not to mention the corrupt Arts which have been made uſe of to elude that Promiſe, by rejecting thoſe that came to claim them, we can infer from their Inefficacy only, that they were too ſmall; that they were not ſufficient to dazzle the Attention, and withdraw it from the Proſpect of the diſtant Advantages which may ariſe from the Service of the Merchants. Let the Reward therefore be doubled, and if it be not then ſufficient, doubled again. There is nothing but may be bought, if an adequate Price be offered; and we are therefore to raiſe the Reward till it ſhall be adjudged by the Sailors equivalent to the Inconveniencies of the Service.

'Let no Man urge that this is Profuſion; that it is a Breach of Truſt, and a Prodigality of the public Money. Sir, the Money thus paid is the Price of Liberty; it is diſburſed to hinder Slavery from encroaching, to preſerve our natural Rights from Infraction, and the Conſtitution of our Country from Violence. If we vote away the Privileges of one Claſs among us, thoſe of another may quickly be demand-

manded; and Slavery will advance by degrees, till the laſt Remains of Freedom ſhall be loſt. Anno 14, Geo. II. 1740.

'But perhaps, Sir, it will appear, upon Reflection, that even this Method needs not to be practiſed. It is well known, that it is not neceſſary for the whole Crew of a Ship to be expert Sailors; there muſt be ſome Novices, and many whoſe Employment has more of Labour than of Art. We have now a numerous Army which burthens our Country, without defending it, and from whom we may therefore draw Supplies for the Fleet, and diſtribute them amongſt the Ships in juſt Proportions; they may immediately aſſiſt the Seamen, and will become able in a ſhort Time to train up others.

'It will doubtleſs, Sir, be objected to this Propoſal, that the Continent is in Confuſion, and that we ought to continue ſuch a Force as may enable us to aſſiſt our Allies, maintain our Influence, and turn the Scale of Affairs in the neighbouring Countries. I know not how we are indebted to our Allies, or by what Ties we are obliged to aſſiſt thoſe who never aſſiſted us; nor can I, upon mature Conſideration, think it neceſſary to be always gazing on the Continent, watching the Motions of every Potentate, and anxiouſly attentive to every Revolution. There is no end, Sir, of obviating Contingencies, of attempting to ſecure ourſelves from every Poſſibility of Danger. I am indeed deſirous that our Friends, if any there be that deſerve that Name, ſhould ſucceed in their Deſigns, and be protected in their Claims; but think it ought always to be remembered, that our own Affairs affect us immediately, theirs only by Conſequence; and that the neareſt Danger is to be firſt regarded.

'With reſpect to the Amendment offer'd to this Clauſe, I cannot ſee that it will produce any Advantage, nor think any Evidence ſufficient to juſtify the Breach of our Conſtitution, or ſubject any Man to the Hardſhip of having his Dwelling enter'd by Force.

'And, Sir, I am not entirely ſatisfied of the Impartiality and Equity with which it is promiſed that this Law will be put in Execution, or what new Influence is to co-operate with this Law, by which Corruption and Oppreſſion will be prevented.

'It is well-known, Sir, that many other Laws are made ineffectual by Partiality or Negligence, which remarkably appears by the immenſe Quantities of Corn that are daily carried into foreign Countries, by illegal Exportations, by which Traffic I am informed that we obtain moſt of our foreign Gold, which in Reality is paid us for Corn by the Dutch; tho' it is ſtudiouſly repreſented to the Nation as gained by our Traffic with Portugal, who can aſſure us that

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this Law will not be perverted after the Example of others? And that there will not be Wretches found that may employ it to the Extortion of Money, or the Gratification of Revenge?

'Thus, Sir, I have ſhewn by what Means our Fleet may now be equipped, and how a Supply of Sailors may be perpetuated; for I cannot think how the Boys which are educated at Charity-Schools can be more properly employed; a Proportion may be eaſily ſelected for the Service, who will benefit the Public much more than by ſerving Sharpers and Attornies, and pilfering either at low Gaming-Houſes, or in the Inns of Court.

'Since therefore is it not pretended, Sir, that this Bill can be juſtified otherwiſe than by Neceſſity, and it appears that Supplies may be raiſed by other Means; ſince inſtead, of increaſing and encouraging Seamen, nothing is propoſed that does not manifeſtly tend, by depreſſing and harraſſing them, to diminiſh their Numbers; I think it reaſonable to declare that I ſhall continue to oppoſe it, and hope that every Friend of Liberty, or Commerce, will concur in the Oppoſition.'

Sir Robert Walpole.

SIR,

Sir Robert Walpole

'I have conſider'd the Bill before us with the utmoſt Impartiality, and I can ſee no Reaſon to apprehend that it will produce ſuch univerſal Diſcontent, and give Occaſion to ſo many Abuſes as the Honourable Gentlemen by whom it is oppoſed, appear to ſuſpect. It is not uncommon, Sir, in judging of future Events, and tracing Effects from Cauſes, for the moſt Sagacious to be miſtaken.

'The ſafeſt Method of conjecturing upon the future, is to conſider the paſt, for it is always probable, that from like Cauſes like Conſequences will ariſe. Let us therefore, Sir, examine what Injuſtice or Oppreſſion has been hitherto produc'd by Laws of the ſame Kind.

'The Power of Searching, however it is now become the Subject of loud Exclamation, and pathetic Harangues, is no new Invaſion of the Rights of the People, but has been already granted in its utmoſt Extent, for an end of no greater Importance than the Preſervation of the Game: This formidable Authority has been already truſted to the Magiſtrate, and the Nation has been already ſubjected to this inſupportable Tyranny, only leſt the Hares and Partridges ſhould be deſtroyed, and Gentlemen be obliged to diſband their Hounds, and diſmiſs their Setting-Dogs.

'Yet, Sir, even with regard to this Power, thus exhorbitant, and thus lightly granted, I have heard no general Com-

plaint

plaints, nor believe that it is look'd upon as a Grievance by any, but thoſe whom it reſtrains from living upon the Game, and condemns to maintain themſelves by a more honeſt and uſeful Induſtry. Anno 14, Geo. II. 1740.

' I hope, Sir, thoſe that think this Law for the Preſervation of their Amuſement rational and juſt, will have at leaſt the ſame Regard to the Defence of their Country, and will not think their Veniſon deſerves greater Sollicitude, than their Fortunes and their Liberties.

' Nor is it difficult, Sir, to produce Inſtances of the Exerciſe of this Power for the End which is now propoſed, without any Conſequences that ſhould diſcourage us from repeating the Experiment. I have now in my Hand a Letter, by which the Mayor and Aldermen of Briſtol are empowered to ſeize all the Sailors within the Bounds of their Juriſdiction, which Order was executed without any Outcries of Oppreſſion, or Apprehenſions of the Approach of Slavery.

' That this Law, Sir, will be always executed with the ſtricteſt Impartiality, and without the leaſt Regard to any private Purpoſes, cannot indeed be demonſtratively proved; every Law may poſſibly be abuſed by a Combination of Profligates, but it muſt, I think, be granted, that it is drawn up with all the Caution that Reaſon, or Juſtice, or the Corruption of the preſent Age requires. I know not what can be contrived better than an Aſſociation of Men unlikely to concur in their Views and Intereſts. A Juſtice of the Peace, a Lieutenant of a Ship, and a Commiſſioner of the Navy, three Men probably unknown to each other, and of which no one will be at all ſollicitous to deſire the reſt to unite, to commit a Crime to which no Temptation can be readily imagined.

' This Caution, Sir, which cannot but be approved, and which ſurely is ſome Proof of Judgment, and Conſideration, ought, in my Opinion, to have exempted the Bill, and thoſe by whoſe Aſſiſtance it was drawn up, from the reproachful and indecent Charge of Abſurdity, Ignorance, and Incapacity; Terms which the Dignity of this Aſſembly does not admit, even when they are inconteſtably juſt, and which ſurely ought not to be made Uſe of when the Queſtion is of a doubtful Nature.

' The Gentlemen, Sir, who are now entruſted with public Employments have never yet diſcovered that they are inferior to their Predeceſſors in Knowledge, or Integrity, nor do their Characters ſuffer any Diminution by a Compariſon with thoſe who vilify and traduce them.

' Thoſe, Sir, that treat others with ſuch licentious Contempt, ought ſurely to give ſome illuſtrious Proof of their own

no 14 Geo II. 1740.

Abilities; and yet, if we examine what has been produced on this Question, we shall find no Reaſon to admire their Sagacity, or their Knowledge.

'We have been told, Sir, that the Fleet might properly be mann'd by a Detachment from the Army, but it has not been proved that we have any ſuperfluous Forces in the Kingdom, nor, indeed, will our Army be found ſufficiently numerous, if, by neglecting to equip our Fleet, we give our Enemies an Opportunity of entering our Country.

'If it be enquired what Neceſſity there is for our preſent Forces? what Expeditions are deſign'd? or what Dangers are fear'd? I ſhall not think it my Duty to return any Anſwer. It is, Sir, the great Unhappineſs of our Conſtitution, that our Determinations cannot be kept ſecret, and that our Enemies may always form Conjectures of our Deſigns, by knowing our Preparations; but ſurely more is not to be publiſh'd than Neceſſity exacts, and the Government has a Right to conceal what it would injure the Nation to diſcover.

'Nor can I, Sir, approve the Method of levying Sailors by the Incitement of an exorbitant Reward, a Reward to be augmented at the Pleaſure of thoſe who are to receive it. For what can be the Conſequence of ſuch Prodigality, but that thoſe, to whom the largeſt Sum is offered, will yet refuſe their Service in Expectation of a greater? The Reward already propoſed is, in my Opinion, the utmoſt Stretch of Liberty; and all beyond may be cenſur'd as Profuſion.

'It is not to be imagin'd, Sir, that all theſe Objections were not made, and anſwered, in the Reign of the late Queen, when a Bill of the ſame Nature was propoſed; they are anſwered at leaſt by the Neceſſity of thoſe Times, which Neceſſity has now return'd upon us.

'We do not find that it produced any Conſequences ſo formidable and deſtructive, that they ſhould for ever diſcourage us from attempting to raiſe Forces by the ſame Means; it was then readily enacted, and executed without Oppoſition, and without Complaints; nor do I believe that any Meaſures can be propoſed of equal Efficacy, and leſs Severity.'

Mr Sandys.

SIR,

Mr. Sandys.

'Whether the Precedents produc'd in Defence of this Bill will have more Weight than the Arguments, muſt be ſhewn by a careful Examination, which will perhaps diſcover that the Order ſent to the Magiſtrates of Briſtol convey'd no new Power, nor ſuch as is, in any reſpect, parallel to that which this Bill is intended to confer.

'They were only enjoined to enquire with more than

usual

al Strictneſs, after Strollers and Vagabonds, ſuch as the w has always ſubjected to Puniſhment, and ſend them to : Fleet, inſtead of any other Place of Correction; a Method hich may now be purſued without Danger, Oppoſition, or omplaint. Anno 14, Geo. II. 1740.

' But for my Part, I am not able, upon the cloſeſt Attenon to the preſent Scene of Affairs, to find out the Neceſſity extraordinary Methods of any Kind. The Fears of an Inſion from France, are, in my Opinion, Sir, merely chimeal; from their Fleet in America the Coaſts of England ve nothing to fear, and after the numerous Levies of Seamen which it was fitted out, it is not yet probable that they speedily ſend out another. We know, Sir, that the mber of Seamen depends upon the Extent of Commerce, ſurely there is as yet no ſuch Diſproportion between their ade and ours, as that they ſhould be able to furniſh out a val Armament with much greater Expedition than ourves.

' In America, our Forces are at leaſt equal to theirs, ſo it is not very probable, that, after the total Deſtruction of r Fleet by them, they ſhould be ſo little injured, as to be le immediately to ſet ſail for the Channel, and inſult us in r own Ports; to effect this, Sir, they muſt not only conter us, but conquer us without Reſiſtance.

' If they do not interrupt us in our Attempts, nor expoſe emſelves to an Engagement, they may indeed return with- ſuffering great Damages, but I know not how they can ve the Shores of America unobſerved, or pour an unexpect- Invaſion upon us. If they continue there, Sir, they can- hurt us; and when they return, we may prepare for their ception.

' There are Men I know, Sir, who have Reaſon to think ily of the French Policy, and whoſe Ideas may be exalto a Belief that they can perform Impoſſibilities; but I have yet prevailed upon myſelf to conceive that they can act ibly, or that they can equip a Fleet by Sorcery, collect Army in a Moment, and defy us on our own Coaſt, with- any perceptible Preparations.'

Sir Charles Wager.

SIR,

' The Calamities produced by Diſcord, and Contention, Sir Charles Wager. not to be pointed out, but it may be proper to reflect the Conſequences of a Houſe divided againſt itſelf, that may endeavour to avoid them.

Unanimity is produced by nothing more powerful than impending Danger, and therefore it may be uſeful to ſhew thoſe

Anno 14, Geo. II. 1740

thoſe who ſeem at preſent in profound Security, u Power of France is more formidable than they are wi allow.

'My Age, Sir, enables me to remember many T tions of the War in the late Reigns, to which many men are Strangers, or of which they have only in Ideas from Hiſtory and Tradition.

'In the ſecond Year of the Reign of King Willi French gained a Victory over the united Fleets of th time Powers, which gave them, for the Summer ſo the Dominion of the Channel, enabled them to ſhut Merchants in their Ports, and produced a total Suſpe our Commerce.

'Thoſe, Sir, to whom the Importance of Tra well known, will eaſily apprehend the Weight of thi mity, and will, I hope, reject no Meaſures that have ſeſt Tenderneſs to prevent it.

'Our Ships, Sir, do not lie uſeleſs becauſe there Want of Seamen in the Nation, but becauſe any Se preferred to that of the Public.

'There are now to my Knowledge in one Town Weſt Coaſt, no fewer than 1200 Sailors, of which third Part may be juſtly claimed by the public Intere do I know why they who obſtinately refuſe to ſer Country, ſhould be treated with ſo much Tenderneſs more reaſonable that they ſhould ſuffer by their than that the general Happineſs ſhould be endangere

Mr. Southwell.

SIR,

Mr. Southwell

'When any Authority ſhall be lodged in my Hand exerciſed for the public Benefit, I ſhall always endea exert it with Honeſty and Diligence; but will n made the Inſtrument of Oppreſſion, nor execute an miſſion of Tyranny or Injuſtice.

'As therefore the Power of ſearching is to be pl the Hands of Juſtices of the Peace, I think it need declare that I will never perform ſo hateful a Part Office, and that, if this Bill becomes a Law, I will from the Place to which my Authority is limited, rath contribute to the Miſeries of my Fellow Subjects.'

Mr. Lyttleton.

SIR,

Mr. Lyttleton

'All the Arguments which have been offered in of this Bill, are reduced at laſt to one conſtant Affi the Neceſſity of paſſing it.

Anno 14, Geo II. 1740.

' We have been told, Sir, with great Acuteneſs, that a War cannot be carried on without Men, and that Ships are uſeleſs without Sailors; and from thence it is inferred that the Bill is neceſſary.

' That Forces are, by ſome means, neceſſary to be raiſed, the warmeſt Opponents of the Bill will not deny; but they cannot therefore allow the Inference, that the Methods now propoſed are neceſſary.

' They are of Opinion, Sir, that cruel and oppreſſive Meaſures can never be juſtified, till all others have been tried without Effect; they think that the Law, when it was formerly paſt, was unjuſt, and are convinced, by obſerving that it never was revived, that it was by Experience diſcovered to be uſeleſs.

' Neceſſity, abſolute Neceſſity, is a formidable Sound, and may terrify the weak and timorous into Silence and Compliance; but it will be found, upon Reflection, to be often nothing but an idle Feint, to amuſe and to delude us; and that that is repreſented as neceſſary to the Public, is only ſomething convenient to Men in Power.

' Neceſſity, Sir, has heretofore been produced as a Plea for that which could be no otherwiſe defended. In the Days of Charles I. Ship-Money was declared to be legal, becauſe it was neceſſary. Such was the Reaſoning of the Lawyers, and the Determination of the Judges; but the Parliament, a Parliament of Patriots! without Fear, and without Corruption, and influenced only by a ſincere Regard for the Public, were of a different Opinion, and neither admitted the Lawfulneſs nor Neceſſity.

' It will become us on this Occaſion to act with equal Vigour, and convince our Countrymen, that we proceed upon the ſame Principles, and that the Liberties of the People are our chief Care.

' I hope we ſhall unite in defeating any Attempts that may impair the Rights which every Briton boaſts as his Birth-right, and reject a Law which will be equally dreaded and deteſted with the Inquiſition of Spain.'

Sir William Yonge.

Sir William Yonge.

S I R,

' Tho' many particular Clauſes of this Bill have been diſapproved and oppoſed, ſome with more, and ſome with leſs Reaſon, yet the Committee has hitherto agreed that a Bill for this Purpoſe is neceſſary in the preſent State of our Affairs; upon this Principle we have proceeded thus far, ſeveral Gentlemen have propoſed their Opinions, contributed their

Anno 14, Geo II. 1740.

their Obſervations, and laboured as in an Affai admitted to be of high Importance to the genera

'But now, Sir, when ſome of the Difficul mounted, ſome Expedients luckily ſtruck out, tions removed, and the great Deſign brough Execution, we are on a ſudden informed, that bour is ſuperfluous, that we are amuſing ourſel leſs Conſultations, providing againſt Calamiti never happen, and raiſing Bulwarks without an therefore the Queſtion before us is of no Imp the Bill ought, without farther Examination, rejected.

'I ſuppoſe, Sir, I ſhall be readily believed, clare that I ſhall willingly admit any Argumen evince our Safety; but in Proportion as real F Danger is to be deſired, a ſupine and indolent is to be dreaded and avoided; and I cannot but Enemies are more formidable, and more malici Gentlemen that oppoſe this Bill have repreſente

'This Bill can only be oppoſed upon the that it gives a Sanction to Severities more rigor preſent Circumſtances require; for nothing can lacious or invidious than a Compariſon of this Demand of Ship-Money, a Demand contrary and enforced by the manifeſt Exertion of arbitra

'How has the Conduct of his preſent Maj ſemblance with that of Charles I? Is any Mon Order of the Council? Are the Determina Judges ſet in Oppoſition to Acts of Parliam Man injured in his Property by an unlimite of the Prerogative? Or any Tribunal eſtabliſhe the Laws of the Nation?

'To draw Parallels, Sir, where there is no and to accuſe by Inſinuations where there is a Crime; to raiſe Outcries when no Injury and to deny a real Neceſſity, becauſe it was on for a bad Purpoſe, is ſurely not to advance the p which can only be promoted by juſt Reaſonin Reflections, not by Sophiſtry and Satire, by without Ground, and by Inſtances beſide the Pu

Mr. Lyttleton.

SIR,

Mr. Lyttleton

'True Zeal for the Service of the Public covered by colluſive Subterfuges and malicious tions; a Mind attentive to the common Good, on an Occaſion like this, have been at Leiſure

harmleſs Illuſtration, and extract Diſaffection from a caſual Remark. Anno 14, Geo II. 1740.

'It is, indeed, not impoſſible, Sir, that I might expreſs myſelf obſcurely, and it may be therefore neceſſary to declare that I intended no diſreſpectful Reflection on the Conduct of his Majeſty, but muſt obſerve at the ſame time, that obſcure or inaccurate Expreſſions ought always to be interpreted in the moſt inoffenſive Meaning, and that to be too ſagacious in diſcovering concealed Inſinuations, is no great Proof of ſuperior Integrity.

'Wiſdom, Sir, is ſeldom captious, and Honeſty ſeldom ſuſpicious: A Man capable of comprehending the whole Extent of a Queſtion, diſdains to divert his Attention by trifling Obſervations; and he that is above the Practice of little Arts, or the Motions of petty Malice, does not eaſily imagine them incident to another.

'That in the Queſtion of Ship-Money Neceſſity was pretended, cannot be denied; and therefore all that I aſſerted, which was only that the Nation had been once terrified without Reaſon, by the formidable Sound of Neceſſity, is evident and unconteſted.

'When a Fraud has once been practiſed, it is of Uſe to remember it, that we may not twice be deceived by the ſame Artifice, and therefore I mentioned the Plea of Neceſſity, that it may be enquir'd whether it is now more true than before.

'That the Parliament, Sir, and not the Judges, is now applied to, is no Proof of the Validity of the Arguments which have been produced; for in the Days of Ship-Money, the Conſent of the Parliament had been aſked had there been any Proſpect of obtaining it: but the Court had been convinc'd, by frequent Experiments, of the Inflexibility of the Parliament, and deſpaired of influencing them by Proſpects of Advantage, or intimidating them by Frowns or Menaces.

'May this and every future Parliament imitate their Conduct, and, like them, diſtinguiſh between real and pretended Neceſſity; and let not us be terrified by idle Clamours into the Eſtabliſhment of a Law at once uſeleſs and oppreſſive.'

Sir William Yonge.

SIR,

'That I did not intend to miſrepreſent the Meaning of the Honourable Gentleman, I hope it is not neceſſary to declare; and that I have in reality been guilty of any Miſrepreſentation, I am not yet convinced. If he did not intend a Parallel between Ship-Money and the preſent Bill, to what purpoſe was his Obſervation? And if he did intend it, was it Sir William Yonge.

Anno 14, Geo II. 1740

not proper to ſhew there was no Reſemblance, and that a which could be inferred from it was therefore fallacious an inconcluſive ?

' Nor do I only differ, Sir, in Opinion with the Honour ble Gentleman with relation to his Compariſon of Meaſure which have nothing in common with each other ; but I w venture to declare, that he is not more accurate in his Ci tions from Hiſtory. The King did not apply to the Judg becauſe the Parliament would not have granted him the M ney that he demanded, but becauſe his chief Ambition was govern the Nation by the Prerogative alone, and to free hi ſelf and his Deſcendants from parliamentary Enquiries.

' That this Account, Sir, is juſt, I am confident the H tories of thoſe Times will diſcover ; and therefore any in dious Compariſon between that Parliament and any other, without Foundation in Reaſon or in Truth.'

Mr. Bathurſt.

SIR,

Mr Bathurſt.

' That this Law will eaſily admit, in the Execution of ſuch Abuſes as will over-ballance the Benefits, may readily proved ; and it will not be conſiſtent with that Regard to Public, expected from us by thoſe whom we repreſent, to ena a Law which may probably become an Inſtrument of Oppr ſion.

' The Servant, by whom I am now attended, may termed, according to the Determination of the Vindicators this Bill, a Sea-faring-Man, having been once in the We Indies ; and he may therefore be forced from my Serv and dragged into a Ship by the Authority of a Juſtice of Peace, perhaps of ſome abandon'd Proſtitute dignified with Commiſſion only to influence Elections, and awe thoſe wh Exciſes and Riot Acts cannot ſubdue.

' I think it, Sir, not improper to declare, that I would Force oppoſe the Execution of a Law like this ; that I wo bar my Doors and defend them ; that I would call my Neig bours to my Aſſiſtance ; and treat thoſe who ſhould atte to enter, without my Conſent, as Thieves, Ruffians, and M derers.'

Lord Gage.

SIR,

Lord Gage.

' It is well known that by the Laws of this Nation Pov ty is in ſome Degree conſidered as a Crime, and that Debtor has only this Advantage over the Felon, that he c not be purſued into his Dwelling, nor be forced from Shelter of his own Houſe.

Anno 14. Geo II. 1740.

'I think it is univerſally agreed, that the Condition of a Man in Debt is already ſufficiently miſerable, and that he would be more worthy of the Legiſlative Power to contrive Alleviations of his Hardſhips, than Additions to them; and it ſeems therefore no inconſiderable Objection to this Bill, that by conferring the Power of entering Houſes by Force, it may give the Harpies of the Law an Opportunity of entering, in the Tumult of an Impreſs, and of dragging a Debtor to a noiſom Priſon, under Pretence of forcing Sailors into the Service of the Crown.'

Mr. Tracy.

Sir,

Mr. Tracy.

'That ſome Law for the Ends propoſed by the Bill before us is neceſſary, I don't ſee how we can doubt, after the Declarations of the Admirals, who are fully acquainted with the Service for which Proviſion is to be made, and of the Miniſtry, whoſe Knowledge of the preſent State of our own Strength, and the Deſigns of our Enemies, is doubtleſs more exact than they can acquire who are not engaged in public Employments.

'If, therefore, the Meaſures now propoſed are neceſſary, tho' they may not be agreeable to the preſent Diſpoſitions of the People, for whoſe Preſervation they are intended, I ſhall think it my Duty to concur in them, that the public Service may not be retarded, nor the Safety of a whole Nation hazarded, by a ſcrupulous Attention to minute Objections.'

Mr. Campbell.

Sir,

Mr. Campbell

'I have often amidſt my Elogies on Britiſh Liberty, and my Declarations of the Excellence of our Conſtitution, the Impartiality of our Government, and the Efficacy of our Laws, been reproached by Foreigners with the Practice of Impreſſes, as an Hardſhip which would raiſe a Rebellion in abſolute Monarchies, and kindle thoſe Nations into Madneſs, that have for many Ages known no other Law than the Will of their Princes. A Hardſhip which includes Impriſonment and Slavery, and to which therefore no Aggravations ought to be added.

'But if Juſtice and Reaſon, Sir, are to be overborn by Neceſſity; if Neceſſity is to ſtop our Ears againſt the Complaints of the Oppreſſed, and harden our Hearts at the Sight of their Miſery, let it at leaſt not deſtroy our Memories, nor deprive us of the Advantages of Experience.

'Let us enquire, Sir, what were the Effects of this hateful

Anno 14, Geo II. 740.

Authority when it was formerly conſign'd to the Magiſtrates. Were our Fleets mann'd in an Inſtant? Were our Harbours immediately crouded with Sailors? Did we ſurprize our Enemies by our Expedition, and make Conqueſts before an Invaſion could be ſuſpected? I have heard, Sir, of no ſuch Conſequences, nor of any Advantages which deſerved to be purchaſed by Tyranny and Oppreſſion We have found that very few were procured by the Magiſtrates, and the Charge of ſeizing and conveying was very conſiderable, and therefore cannot but conclude, that illegal Meaſures, which have been once tried without Succeſs, ſhould, for a double Reaſon, never be reviv'd.

Sir John Barnard.

SIR,

Sir John Barnard.

'It is not without Regret that I riſe ſo often on this Occaſion; for to diſpute with thoſe whoſe Determinations are not influenced by Reaſon, is a ridiculous Taſk, a tireſome Labour without Proſpect of Reward.

'But as an Honourable Gentleman has lately remark'd, that by denying the Neceſſity of the Bill, inſtead of making Objections to particular Clauſes, the whole Deſign of finding Expedients to ſupply the Sea Service is at once defeated: I think it neceſſary to remind him, that I have made many Objections to this Bill, and ſupported them by Reaſons which have not yet been anſwer'd. But I ſhall now no longer confine my Remarks to ſingle Errors, but obſerve that there is one general Defect, by which the whole Bill is made abſurd and uſeleſs.

'For the Foundation of a Law like this, Sir, the Deſcription of a Seaman ought to be thus accurately laid down, it ought to be declared what Acts ſhall ſubject him to that Denomination, and by what Means, after having once enliſted himſelf in this unhappy Claſs of Men, he may withdraw into a more ſecure and happy State of Life.

'Is a Man, who has once only loſt Sight of the Shore, to be hunted as a Seaman? Is a Man who by Traffic has enriched a Family, to be forced from his Poſſeſſions by the Authority of an Impreſs? Is a Man, who has purchaſed an Eſtate, and built a Seat, to ſollicit the Admiralty for a Protection from the neighbouring Conſtable? Such Queſtions as theſe, Sir, may be aſk'd, which the Bill before us will enable no Man to anſwer.

'If a Bill for this Purpoſe be truly neceſſary, let it at leaſt be freed from ſuch offenſive Abſurdities; let it be drawn up in a Form as different as is poſſible from that of the Bill before

t us, and at laſt I am far from imagining that a Law will contrived not injurious to Individuals, nor detrimental to Public; not contrary to the firſt Principles of our Eſta- ament, and not loaded with Folly and Abſurdities.'

Mr. Viner.

SIR,

A Definition of a Seaman is ſo neceſſary in a Bill for Mr. Viner.
Purpoſe, that the Omiſſion of it will defeat all the Me- ds that can be ſuggeſted. How ſhall a Law be executed, a Penalty inflicted, when the Magiſtrate has no certain rks whereby he may diſtinguiſh a Criminal? And when n the Man that is proſecuted may not be conſcious of ilt, or know that the Law extended to him, which he is urged with having offended.

If, in defining a Seaman on the preſent Occaſion, it be ught proper to have any Regard to the Example of our deceſſors, whoſe Wiſdom has in this Debate been ſo much gnified; it may be obſerved that a Seaman has been for- ly defined, A Man who haunts the Seas; a Definition ich ſeems to imply Habit, and Continuance, and not to prehend a Man who has perhaps never gone more than gle Voyage.

But tho' this Definition, Sir, ſhou'd be added to the A- dments already propoſed, and the Bill thereby be brought ewhat nearer to the conſtitutional Principles of our Go- ment; I cannot yet think it ſo much rectified, as that Hardſhips will not out-weigh the Benefits, and therefore ll continue to oppoſe the Bill, tho' to ſome particular ſes I have no Objection.'

The Term Sea-faring Man was then left out, and the ſe- al Amendments were admitted in the Committee.

Received the Report of His Majeſty's Anſwer to their reſs, That he would give Directions for a Scheme to prepared to prevent the Running of Wool.

Read a firſt Time, a Bill for ſupplying ſome Defects in Laws for repairing and rebuilding County Bridges; and repairing, enlarging, erecting, and providing Houſes of rection.

The 10th. Read a firſt Time, a Bill for the Improvement e Manufacture of Woollen Broad Cloth, and to prevent ſes in the making of the ſame.

Read a ſecond Time, a Bill for ſupplying ſome Defects he Laws for repairing County Bridges, and for pro- g Houſes of Correction.

Read

Anno 14. Geo II 1740.

Read a third Time, and paſſed the * Bill for opening a Trade to and from *Perſia* through *Ruſſia*: Ordered it to the Lords.

The

* Abſtract of the BILL, for opening a Trade to and from Perſia, thro' Ruſſia,

"*Whereas by Letters Patent, dated February 26, in the firſt and ſecond Year of King Philip and Queen Mary, their Majeſty's did grant to the Merchant Adventurers of England for the Diſcovery of Lands, Territories, Iſles, &c. unknown and not before their late Adventure or Enterprize, by Sea or Navigation, commonly frequented the ſole Privilege of trading to the Dominions and Territories of the Emperor of Ruſſia. And whereas the Liberties, &c. granted by the ſaid Letters Patent, were afterwards by Act of Parliament in the 8th of Queen Elizabeth confirmed to the ſaid Merchants and their Succeſſors, by the Name of* The Fellowſhip of Engliſh Merchants for the Diſcovery of new Trades *(now commonly called the Ruſſia-Company) by which the ſaid Fellowſhip are to have the ſole Privilege of trading to and from the Dominions and Territories of the Emperor of Ruſſia, lying North-wards, North-eaſt-wards, and North-weſt-wards from London; as alſo to the Countries of Armenia Major, or Minor, Media, Hyrcania, Perſia, or the Caſpian Sea: And whereas, by an Act in the 10th and 11th Years of King William III. to enlarge the Trade to Ruſſia, any Subject of this Realm hath a Right to become free of the ſaid Fellowſhip, on Payment of 5l. and no more. And whereas, by an Act of his late Majeſty Charles II for encouraging and increaſing of Shipping and Navigation, it is enacted, That no Goods of foreign Growth and Manufacture, which by the ſaid Act are to be brought into England, Ireland, &c. in Engliſh or other Shipping, navigated in ſuch a manner as therein is mentioned, ſhall be ſhipped, or brought from any other Place or Places, Town or Country, &c but only from thoſe of the ſaid Growth, Production, or Manufacture; or from thoſe Ports where the ſaid Goods and Commodities could only or uſually had been firſt ſhipped for Tranſportation, and from no other, under the Forfaiture of all ſuch Goods, as alſo the Ship in which they are imported, with all her Guns, Tackle, &c. to be recovered and divided as in the ſaid Act directed, with Proviſo that the ſaid Act ſhall not extend to prohibit the importing of the Commodities of the Streights or Levant Seas, in Engliſh built Shipping, navigated as therein directed, from the ſaid Ports or Places for lading them within the ſaid Streights or*

Levant

The Houſe reſolved them into a Committe on the Bill for Encouragement of Seamen, and ſpeedier Manning the Fleet, when Sir Charles Wager offer'd a Clauſe by which it was to be enacted, That no Merchants, or Bodies Corporate, or Politic, ſhall hire Sailors at higher Wages than 35 s. for the Month, on Pain of forfeiting the treble Value of the Sum ſo agreed for; which Law was to commence after Fifteen Days, and continue for a Time to be agreed on by the Houſe. And then ſpoke to the following Purpoſe. Anno 14, Geo. II. 1740.

Sir,

Levant Seas, or the importing any *Eaſt-India* Commodities under the like Shipping, and navigated as aboveſaid, to the Southward and Eaſtward of *Cabo bona Speranza*, altho' the ſaid Commodities be not of the very Growth of the ſaid Places reſpectively. And whereas, at the Time of paſſing the ſaid laſt-mentioned Act, it was not uſual to bring to this Kingdom Raw-Silk, and other Commodities of the Growth and Manufacture of *Perſia*, thro' *Ruſſia*. And whereas it may be of great Advantage to this Kingdom, to open a Trade to and from *Perſia*, thro' *Ruſſia*, by promoting the Conſumption of the Woollen and other Manufactures thereof, if Raw-Silk, and other Goods, the Produce of *Perſia*, be permitted to be imported into this Kingdom from *Ruſſia*, in return for ſuch Woollen and other Manufactures as ſhall be exported from hence into *Ruſſia*, and from thence carried into *Perſia*, and not otherwiſe: Be it enacted, &c. That from and after the 24th of *June* 1741, it ſhall be lawful for every Member of the ſaid Fellowſhip or *Ruſſia*-Company, excluſive of all others, to import into this Kingdom, in Engliſh-built Shipping, navigated according to Law, from any Port belonging to the Czar, Raw-Silk, or any other Goods of the Growth and Manufacture of *Perſia*; provided ſuch Manufacture, of the Growth or Produce of *Perſia*, be purchaſed by Barter with Woollen and other Manufactories, or Goods exported from Great-Britain to *Ruſſia*, and from thence carried into *Perſia* (Gold and Silver in Coin, and Bullion excepted) or with the Produce ariſing from the Sales of ſuch Manufactures, &c. exported to *Ruſſia*, and carried into *Perſia* as aforeſaid; and not otherwiſe, upon paying or ſecuring the Duties now payable for the ſame, according to ſuch Rules and Directions, &c. as are by Law preſcribed and practiſed on the Importation of Goods of the Growth and Manufacture of *Perſia*, imported into this Kingdom from any Port in the Levant-Seas, by any Perſon free of the Turky, or Levant Company.

And be it enacted, &c. That no Silk, or other Produce or Manufacture of *Perſia*, ſhall be imported into Great Britain, thro' *Ruſſia*, by virtue of this Act, unleſs the Importer take an Oath,

or

for that of the Crown, is univerſally known by every
of the Navy, and every Commander of a Trading-Ve

'A Law therefore, Sir, to reſtrain them in time
from ſuch exorbitant Demands, to deprive them
Proſpects which have often no other Effect but to lull
Idleneſs, while they ſkulk about in Expectation o

or make Affirmation before the Collector, &c. at the Por
portation, that to the beſt of his or their Knowledge an
the Silk and other the Produce or Manufactures of Pe
tained in his or their Entries, was or were really purc
Barter with Woollen, &c. Goods exported from Great
to Ruſſia, and from thence carried into Perſia (not being
Silver in Coin, or Bullion) or with the Produce ariſ
Sales of the ſaid Goods, and not otherwiſe. And in d
taking ſuch Oath or Affirmation, being a Quaker, all ſ
&c. ſhall be liable to be ſeized and forfeited, as if t
had been imported contrary to the ſaid Act of the
Charles II.

Provided always, and be it enacted, &c. That nothin
Act ſhall extend to the permitting, uſing, or wearing
Kingdom, any wrought Silks or other Manufacture of
mentioned in the Act 11th of William III. which ma
ported by virtue thereof thro' Ruſſia; but the ſaid A
Clauſe thereof, &c. for re-exporting the ſame, to be
Force, &c.

And be it further enacted, &c That if any Queſti
ſhall ariſe, whether any of the Goods to be imported,
of the Act, be of the Growth or Manufacture of Perſ

ages, and to hinder them from deceiving themſelves, em- Anno 14, Geo. II. 1740.
traſſing the Merchants, and neglecting the general Intereſt their Country is undoubtedly juſt. It is juſt, Sir, becauſe, regard to the Public, it is neceſſary to prevent the greateſt ſamity that can fall upon a People; to preſerve us from re-ving Laws from the moſt implacable of our Enemies; and s juſt becauſe, with reſpect to particular Men, it has no ndency but to ſuppreſs Idleneſs, Fraud, and Extortion.'

Mr. H. Fox.

SIR,

I have no Objection to any Part of this Clauſe, except Mr. H. Fox.
Day propoſed for the Commencement; to make a Law inſt any pernicious Practice, to which there are ſtrong mptations, and to give thoſe whoſe Intereſt may incite n to it, Time to effect their Schemes, before the Law ſhall in to operate, ſeems not very conſiſtent with their Wiſdom Vigilance.

It is not denied, Sir, that the Merchants are betrayed, by t Regard to private Intereſt which prevails too frequently r nobler Views, to bribe away from the Service of the wn, by large Rewards, thoſe Sailors whoſe Aſſiſtance is w ſo neceſſary to the Public; and therefore it is not to be gined that they will not employ their utmoſt Diligence improve the Interval which the Bill allows in making ntracts for the enſuing Year, and that the Sailors will not erly engage themſelves before this Law ſhall preclude ir Proſpects of Advantage.

' As therefore to make no Law, and to make a Law that ll not be obſerved, is in Conſequence the ſame, and as the me allow'd by the Clauſe, as it now ſtands, may make the ale Proviſion ineffectual, it is my Opinion that either it ght to begin to operate to-morrow, or that we ought to ve the whole Affair in its preſent State.'

Sir Robert Walpole.

SIR,

' Nothing has a greater Appearance of Injuſtice, than to Sir Robert Walpole.
niſh Men by virtue of Laws with which they were not ac-inted; the Law therefore is always ſuppoſed to be known thoſe who have offended it; becauſe it is the Duty of ry Man to know it, and certainly it ought to be the Care the Legiſlature, that thoſe whom the Law will affect, may ve a Poſſibility of knowing it, and that thoſe may not be niſhed for failing in their Duty, whom nothing but ine-ible Ignorance has betrayed into Offence.

Anno 14, Geo. II. 1740.

'But if the Operation of this Law ſhould commence to-morrow, what Numbers may break it, and ſuffer by the Breach of it involuntarily, and without Deſign; and how ſhall we vindicate ourſelves from having been acceſſary to the Crime which we cenſure and puniſh?'

Mr. H. Fox.

SIR,

Mr. H. Fox.

'I ſhall not urge in Defence of my Motion what is generally known and has been frequently inculcated in all Debates upon this Bill, that private Conſiderations ought always to give Way to the Neceſſities of the Public; for I think it ſufficient to obſerve, that there is a Diſtinction to be made between Puniſhment and Reſtraints, and that we never can be too early in the Prevention of pernicious Practices, tho' we may ſometimes delay to puniſh them.

'The Law will be known to-morrow to far the greateſt Number of thoſe who may be tempted to defeat it, and if there be others that break it ignorantly, how will they find themſelves injured by being only obliged to pay leſs than they promiſed, which is all that I ſhould propoſe without longer Warning. The Debate upon this particular will be at length reduced to a Queſtion, Whether a Law for this Purpoſe is juſt and expedient? If a Law be neceſſary, it is neceſſary that it ſhould be executed, and it can be executed only by commencing to-morrow.'

Lord Baltimore.

SIR,

Lord Baltimore

'It appears to me of no great Importance how ſoon the Operation of the Law commences, or how long it is delayed, becauſe I ſee no Reaſon for imagining that it will at any Time produce the Effects propoſed by it.

'It has been the Amuſement, Sir, of the greateſt Part of my Life, to converſe with Men whoſe Inclinations or Employments have made them well acquainted with maritime Affairs, and amidſt innumerable other Schemes for the Promotion of Trade, have heard ſome for the Regulation of Wages in trading Ships, Schemes at the firſt Appearance plauſible and likely to ſucceed, but upon a nearer Enquiry evidently entangled with inſupportable Difficulties, and never to be executed without Danger of injuring the Commerce of the Nation.'

'The Clauſe, Sir, now before us contains in my Opinion one of thoſe viſionary Proviſions, which however infallible they may appear, will be eaſily defeated, and will have no other Effect than to promote Cunning and Fraud, and to teach

Men

Men thoſe Acts of Colluſion with which they would other- Anno 14, Geo. II. 1740.
wiſe never have been acquainted.'

Mr. Lockwood.

SIR,

' I agree with the Honourable Gentleman by whom this Clauſe has been offer'd, that the End for which it is propos'd, is worthy the cloſeſt Attention of the legiſlative Power, and that the Evils, of which the Prevention is now endeavour'd, may in ſome Meaſure not only obſtruct our Traffic, but endanger our Country; and ſhall therefore very readily concur in any Meaſure for this Purpoſe, that ſhall not appear either unjuſt or ineffectual. Mr Lockwood.

' Whether this Cauſe will be ſufficient to reſtrain all elusive Contracts, and whether all the little Artifices of Intereſt are ſufficiently obviated, I am yet unable to determine; but by a Reflection upon the Multiplicity of Relations to be conſidered, and the Variety of Circumſtances to be adjuſted, in a Proviſion of this kind, I am inclin'd to think that it is not the Buſineſs of a tranſient Enquiry, or of a ſingle Clauſe, but that it will demand a ſeparate Law, and engage the Deliberation and Regard of this whole Aſſembly.'

Sir John Barnard.

SIR,

' Notwithſtanding the Impatience and Reſentment with which ſome Men ſee their Miſtakes and Ignorance detected, notwithſtanding the Reverence which Negligence and Haſte are ſaid to be entitled to from this Aſſembly, I ſhall declare once more, without the Apprehenſion of being confuted, that this Bill was drawn up without Conſideration, and is defended without being underſtood; that after all the Amendments which have been admitted, and all the Additions propos'd, it will be oppreſſive and ineffectual, a Chaos of Abſurdities, and Monument of Ignorance.' Sir John Barnard.

Sir Robert Walpole.

SIR,

' The preſent Buſineſs of this Aſſembly is to examine the Clauſe before us: but to deviate from ſo neceſſary an Enquiry into loud Exclamations againſt the whole Bill, is to obſtruct the Courſe of the Debate, to perplex our Attention, and interrupt the Parliament in its Deliberation upon Queſtions, in the Determination of which the Security of the Public is nearly concern'd. Sir Robert Walpole.

' The War, Sir, in which we are now engaged, and, I may add, engaged by the general Requeſt of the whole Na-

Anno 14, Geo II. 1740.

tion, can be proſecuted only by the Aſſiſtance of the Seamen, from whom it is not expected that they will ſacrifice their immediate Advantage to the Security of their Country. Public Spirit, where it is to be found, is the Reſult of Reflection, refin'd by Study and exalted by Education, and is not to be hoped for among thoſe whom low Fortune has condemned to perpetual Drudgery. It muſt be therefore neceſſary to ſupply the Defect of Education, and to produce by ſalutary Coercions thoſe Effects which it is in vain to expect from other Cauſes.

'That the Service of the Sailors will be ſet up to Sale by Auction, and that the Merchants will bid againſt the Government is inconteſtable; nor is there any Doubt that they will be able to offer the higheſt Price, becauſe they will take Care to repay themſelves by raiſing the Value of their Goods. Thus, without ſome Reſtraint upon the Merchants, our Enemies, who are not debarred by their Form of Goverment from any Method which Policy can invent, or abſolute Power put in Execution, will prelude all our Deſigns, and ſet at Defiance a Nation ſuperior to themſelves.'

Sir John Barnard.

SIR,

Sir John Barnard.

'I think myſelf obliged, by my Duty to my Country, and by my Gratitude to thoſe by whoſe Induſtry we are enriched, and by whoſe Courage we are defended, to make once more a Declaration, not againſt particular Clauſes, not againſt ſingle Circumſtances, but againſt the whole Bill; a Bill unjuſt and oppreſſive, abſurd and ridiculous; a Bill to harraſs the Induſtrious and diſtreſs the Honeſt, to puzzle the Wiſe and add Power to the Cruel; a Bill, which cannot be read without Aſtoniſhment, nor paſſed without the Violation of our Conſtitution, and an equal Diſregard of Policy and Humanity.

'All theſe Aſſertions will need to be proved only by a bare Peruſal of this hateful Bill, by which the meaneſt, the moſt worthleſs Reptile, exalted to a petty Office by ſerving a Wretch only ſuperior to him in Fortune, is enabled to ſhew his Authority by tyranizing over thoſe who every Hour deſerve the public Acknowledgements of the Community; to intrude upon the Retreats of brave Men, fatigued and exhauſted by honeſt Induſtry, to drag them out with all the Wantoneſs of groveling Authority, and chain them to the Oar without a Moment's Reſpite, or perhaps oblige them to purchaſe, with the Gains of a dangerous Voyage, or the Plunder of an Enemy lately conquer'd, a ſhort Interval to ſettle their Affairs, or bid their Children farewell.

'Let

Anno 14, Geo. II. 1740.

" Let any Gentleman in this Houſe, let thoſe, Sir, who
w ſit at Eaſe, projecting Laws of Oppreſſion and conferring
on their own Slaves ſuch licentious Authority, pauſe a few
oments, and imagine themſelves expoſed to the ſame Hard-
ips by a Power ſuperior to their own; let them conceive
emſelves torn from the Tenderneſs and Carreſſes of their
milies by mid-night Irruptions, dragg'd in Triumph thro'
Streets by a deſpicable Officer, and placed under the
mmand of thoſe by whom they have perhaps been already
ulted. Why ſhould we imagine that the Race of Men
whom theſe Cruelties are preparing, have leſs Senſibility
an ourſelves? Why ſhould we believe that they will ſuffer
thout Complaint, and be injur'd without Reſentment?
hy ſhould we conceive that they will not at once deliver
emſelves, and puniſh their Oppreſſors, by deſerting that
untry where they are conſider'd as Felons, and laying hold
thoſe Rewards and Privileges which no other Govern-
ent will deny them?

" This is indeed the only Tendency, whatever may have
en the Intention, of the Bill before us; for I know not
ether the moſt refin'd Sagacity can diſcover any other Me-
od of diſcouraging Navigation than thoſe which are drawn
gether in the Bill before us. We firſt give our Conſtables
Authority to hunt the Sailors like Thieves, and drive them
inceſſant Purſuit out of the Nation; but, leſt any Man
ould, by Friendſhip, good Fortune, or the Power of Money,
d Means of ſtaying behind, we have, with equal Wiſdom,
ndemn'd him to Poverty and Miſery; and, leſt the natural
arage of his Profeſſion ſhou'd incite him to aſſiſt his Country
the War, have contrived a Method of precluding him
om any Advantage that might have the Weakneſs to hope
om his Fortitude and Diligence. What more can be done,
leſs we at once prohibit to Seamen the Uſe of the com-
on Elements, or doom them to a general Proſcription.

" It is juſt, Sir, that Advantage ſhould be proportion'd to
e Hazard by which it is to be obtained, and therefore a
ilor has an honeſt Claim to an Advance of Wages in Time
War; it is neceſſary to excite Expectation, and to fire
mbition by the Proſpect of great Acquiſitions; and by this
ſpect it is that ſuch Numbers are daily allured to naval
ineſs, and that our Privateers are filled with Adventurers.
e large Wages which War makes neceſſary, are more
werful Incentives to thoſe whom Impatience of Poverty
rmines to change their State of Life, than the ſecure
ins of peaceful Commerce; for the Danger is over-look'd
a Mind intent upon the Profit.

" War

in Security, though not in Plenty, than encounte
and Poverty at once, and face an Enemy without
ſpect of Recompence?

'Let any Man recollect the Ideas that aroſe in
upon hearing of a Bill for encouraging and incre
lors, and examine whether he had any Expectati
pedients like theſe? I ſuppoſe, it was never know
that Men were to be encouraged by ſubjecting ther
liar Penalties, or that to take away the Gains of a
was a Method of recommending it, more general
People.

'But it is not of very great Importance to dw
upon the Impropriety of this Clauſe, which there
ſibility of putting in Execution. That the Merc
try every Method of eluding a Law ſo prejudicia
Intereſt, may be eaſily imagined; and a Mind
fruitful of Evaſions will diſcover that this Law
eluded by a thouſand Artifices. If the Merchant
ſtrained from allowing Men their Wages beyond
Sum, they will make Contracts for the Voyage,
the Time may very eaſily be computed; they m
Reward for Expedition and Fidelity; they may p
Sum by way of Advance; they may allow the S
of the Profits, or may offer Money by a third H
fix the Price of any Commodity, of which the Qu
the Uſe may vary their Proportions, is the moſt
Degree of Ignorance. No Man can determine
of Corn, unleſs he can regulate the Harveſt, and
Number of the People for ever at a Stand.

'But let us ſuppoſe theſe Methods as efficacious
moſt ſanguine Vindicators are deſirous of repeal

of their own Actions, and of whom Candour may perhaps determine, that they are only cruel becauſe they are ſtupid. Let us not exalt into a Precedent, the moſt unjuſt and rigorous Law of our Predeceſſors, of which they themſelves declared their Repentance, or confeſſed the Inefficacy, by never reviving it; let us rather endeavour to gain the Sailors by Lenity and Moderation, and reconcile them to the Service of the Crown by real Encouragement; for it is rational to imagine, that in Proportion as Men are diſguſted by Injuries, they will be won by Kindneſs. Anno 14, Geo II. 1740

'There is one Expedient, Sir, which deſerves to be tried, and from which at leaſt more Succeſs may be hoped than from Cruelty, Hunger, and Perſecution. The Ships that are now to be fitted out for Service, are thoſe of the firſt Magnitude, which it is uſual to bring back into the Ports in Winter. Let us therefore promiſe to all Seamen that ſhall voluntarily engage in them, beſides the Reward already propoſed, a Diſcharge from the Service at the End of ſix or even Months. By this they will be releaſed from their preſent Dread of Slavery, and be certain, as they are when in the Service of the Merchants, of a Reſpite from their Fatigues. The Trade of the Nation will be only interrupted for a Time, and may be carried on in the Winter Months, and large Sums will be ſaved by diſmiſſing the Seamen when they cannot be employed.

'By adding this to the other Methods of Encouragement, and throwing aſide all rigorous and oppreſſive Schemes, the Navy may eaſily be manned, our Country protected, our Commerce re-eſtabliſhed, and our Enemies ſubdued; but to paſs the Bill as it now ſtands, is to determine that Trade ſhall ceaſe, and that no Ship ſhall ſail out of the River.'

Mr. Pit.

SIR,

'It is common for thoſe to have the greateſt Regard to their own Intereſt who diſcover the leaſt for that of others. I do not, therefore, deſpair of recalling the Advocates of this Bill from the Proſecution of their favourite Meaſures by Arguments of greater Efficacy than thoſe which are founded on Reaſon and Juſtice. Mr. Pit.

'Nothing, Sir, is more evident, than that ſome Degree of Reputation is abſolutely neceſſary to Men who have any Concern in the Adminiſtration of a Government like ours; they muſt either ſecure the Fidelity of their Adherents by the Aſſiſtance of Wiſdom, or of Virtue; their Enemies muſt either be awed by their Honeſty, or terrified by their Cunning. Mere artleſs Bribery will never gain a ſufficient Majority

cities are propoſed as are yet unknown among ſavage Nations, ſuch as Slavery has not yet born ranny invented, ſuch as cannot be heard without Re nor thought of without Horror.

' It is, Sir, perhaps, not unfortunate, that one pedient has been added rather ridiculous than ſhoc that theſe Tyrants of the Adminiſtration, who am ſelves with oppreſſing their Fellow Subjects, who ad Reluctance one Hardſhip to another, invade the I thoſe whom they have already overborne with T plunder and then impriſon, who take all Opport heightening the public Diſtreſſes, and make the M War the Inſtruments of new Oppreſſions, are too ig be formidable, and owe their Power not to their Ab to caſual Proſperity, or to the Influence of Money.

' The other Clauſes of this Bill, complicated at Cruelty and Folly, have been treated with becomi nation; but this may be conſidered with leſs Ardou ſentment, and fewer Emotions of Zeal, becauſe, tho haps equally iniquitous, it will do no Harm; for a can never be executed can never be felt.

' That it will conſume the Manufacture of P ſwell the Books of Statutes, is all the Good or Hur be hoped or fear'd from a Law like this; a La fixes what is in its own Nature mutable, which Rules to the Seaſons and Limits to the Wind.

' I am too well acquainted, Sir, with the Diſ its two chief Supporters, to mention the Conte which this Law will be treated by Poſterity; for already ſhewn abundantly their Diſregard of Generations; but I will remind them, that they

Intereſt in View, will be afraid of adhering to thoſe Anno 14, Geo
ders, however old and practiſed in Expedients, however II. 1740.
gthen'd by Corruption, or elated with Power, who have
reaſon to hope for Succeſs from either their Virtue or
ities.'

Mr. Bathurſt.

SIR,

'The Clauſe now under our Conſideration is ſo incon- Mr Bathurſt.
ately drawn up, that it is impoſſible to read it in the
curſory Manner, without diſcovering the Neceſſity of
erous Amendments; no malicious Subtilities or artful
ctions are required in raiſing Objections to this Part of
Bill; they croud upon us without being ſought, and inſtead
exerciſing our Sagacity, weary our Attention.

'The firſt Error, or rather one Part of a general and com-
ted Error, is the Computation of Time not by Days but
Kalendar Months, which, as they are not equal one to
er, may embarraſs the Account between the Sailors and
that employ them. In all Contracts of a ſhort Dura-
n, the Time is to be reckoned by Weeks and Days, by
and regular Periods, which has been ſo conſtantly
Practice of the Sea-faring-Men, that perhaps many of
do not know the Meaning of a Kalendar Month: This
ed is a Neglect of no great Importance, becauſe no Man
be deprived by it of more than the Wages due for the
our of a few Days, but the other Part of this Clauſe is
re ſeriouſly to be conſider'd, as it threatens the Sailors
h great Injuries. For it is to be enacted, that all Cor-
ts made for more Wages than are here allowed ſhall be
lly void.

'It cannot be denied to be poſſible, and in my Opinion it
very likely, that many Contracts will be made without the
Knowledge of this Law, and conſequently without any De-
n of violating it; but Ignorance, inevitable Ignorance,
o' it is a valid Excuſe for every other Man, is no Plea for
the unhappy Sailor; he muſt ſuffer, tho' innocent, the Penalty
of a Crime; muſt undergo Danger, Hardſhips, and Labour,
without a Recompence, and at the End of a ſecond Voyage,
after having enriched his Country by his Induſtry, return
Home to a neceſſitous Family without being able to relieve
them.

'It is ſcarcely neceſſary, Sir, to raiſe any more Objections
to a Clauſe in which nothing is right; but to ſhew how its
Imperfections multiply upon the ſlighteſt Conſideration, I
take this Opportunity to obſerve that there is no Proviſion
made for regulating the Voyages performed in leſs Time than

Anno 14, Geo II. 1740

a Month, ſo that the greateſt Part of the Abuſes, which have been repreſented as the Occaſion of this Clauſe, are yet without Remedy, and only thoſe Sailors who venture far, and are expoſed to the greateſt Dangers, are reſtrain'd from receiving an adequate Reward.

'Thus much, Sir, I have ſaid upon the Suppoſition, that a Regulation of the Sailors Wages is either neceſſary or juſt; a Suppoſition of which I am very far from diſcovering the Truth. That it is juſt to oppreſs the moſt uſeful of our Fellow-Subjects, to load thoſe Men with peculiar Hardſhips to whom we owe the Plenty that we enjoy, the Power that yet remains in the Nation, and which neither the Folly nor the Cowardice of Miniſters have yet been able to deſtroy, and the Security in which we now ſit and hold our Conſultations; that it is juſt to leſſen our Payments at a Time when we increaſe the Labour of thoſe who are hired, and to expoſe Men to Danger without Recompence, will not eaſily be proved even by thoſe who are moſt accuſtomed to Paradoxes, and are ready to undertake the Proof of any Poſition which it is their Intereſt to find true.

'Nor is it much more eaſy to ſhew the Neceſſity of this Expedient in our preſent State, in which it appears from the Title of the Bill, that our chief Endeavour ſhould be the Increaſe and Encouragement of Sailors, and, I ſuppoſe, it has not often been diſcover'd, that by taking away the Profits of a Profeſſion, greater Numbers have been allured to it.

'The high Wages, Sir, paid by Merchants are the chief Incitements that prevail upon the Ambitious, the Neceſſitous, or the Avaritious, to forſake the Eaſe and Security of the Land, to leave eaſy Trades and healthful Employments, and expoſe themſelves to an Element where they are not certain of an Hour's Safety. The Service of the Merchants is the Nurſery in which Seamen are trained up for his Majeſty's Navies, and from thence we muſt, in Time of Danger, expect thoſe Forces by which alone we can be protected.

'If, therefore, it is neceſſary to encourage Sailors, it is neceſſary to reject all Meaſures that may terrify or diſguſt them; and, as their Numbers muſt depend upon our Trade, let us not embarraſs the Merchants with any other Difficulties than thoſe which are inſeparable from War, and which very little Care has been hitherto taken to alleviate.'

Mr. Hay.

SIR,

Mr Hay

'The Objections which have been urged with ſo much Ardour, and diſplay'd with ſuch Power of Eloquence, are not, in my Opinion, formidable enough to diſcourage us from

from proſecuting our Meaſures; ſome of them may be perhaps readily anſwered, and the reſt eaſily removed. Anno 14. Geo II. 1740.

'The Computation of Time, as it now ſtands, is allow'd not to produce any formidable Evil, and therefore did not require ſo rhetorical a Cenſure; the Inconveniency of Kalendar Months may eaſily be removed by a little Candour in the contracting Parties, or that the Objection may not be repeated to the Interruption of the Debate, Weeks or Days may be ſubſtituted, and the uſual reckoning of the Sailors be ſtill continued.

That ſome Contracts may be annulled, and Inconveniencies or Delays of Payment ariſe, is too evident to be queſtioned; but in that Caſe the Sailor may have his Remedy provided, and be enabled to obtain, by an eaſy Proceſs, what he ſhall be judg'd to have deſerved; for it muſt be allow'd reaſonable, that every Man who labours in honeſt and uſeful Employments, ſhould receive the Reward of his Diligence and Fidelity.

'Thus, Sir, may the Clauſe, however loudly cenſured and violently oppoſed, be made uſeful and equitable, and the public Service advanced without Injury to Individuals.'

Sir Robert Walpole.

SIR,

'Every Law which extends its Influence to great Numbers, in various Relations and Circumſtances, muſt produce ſome Conſequences that were never foreſeen or intended, and is to be cenſured or applauded as the general Advantages or Inconveniencies are found to preponderate. Of this kind is the Law before us, a Law enforced by the Neceſſity of our Affairs, and drawn up with no other Intention than to ſecure the public Happineſs, and produce that Succeſs which every Man's Intereſt muſt prompt him to deſire. Sir Robert Walpole.

'If, in the Execution of this Law, Sir, ſome Inconveniencies ſhould ariſe, they are to be remedied as faſt as they are diſcovered, or if not capable of a Remedy, to be patiently borne in Conſideration of the general Advantage.

'That ſome temporary Diſturbances may be produced is not improbable; the Diſcontent of the Sailors may for a ſhort Time riſe high, and our Trade be ſuſpended by their Obſtinacy; but Obſtinacy, however determined, muſt yield to Hunger, and when no higher Wages can be obtained, they will chearfully accept of thoſe which are here allowed them. Short Voyages indeed are not comprehended in the Clauſe, and therefore the Sailors will engage in them upon their own Terms; but this Objection can be of no weight with

ano 14, Geo II. 740.

thoſe that oppoſe the Clauſe, becauſe, if it is unjuſt to limit the Wages of the Sailors, it is juſt to leave thoſe Voyages without Reſtriction; and thoſe that think the Expedient here propoſed equitable and rational, may perhaps be willing to make ſome Conceſſions to thoſe who are of a different Opinion.

'That the Bill will not remove every Obſtacle to Succeſs, nor add Weight to one Part of the Balance without making the other lighter; that it will not ſupply the Navy without incommoding the Merchants in ſome degree; that it may be ſometimes evaded by Cunning, and ſometimes abuſed by Malice; and that at laſt it will be leſs efficacious than is deſired, may perhaps be proved; but it has not yet been proved that any other Meaſures are more eligible, or that we are not to promote the public Service as far as we are able, though our Endeavours may not produce Effects equal to our Wiſhes.'

Sir John Barnard.

SIR,

r John rnard.

'I know not by what Fatality it is that nothing can be urged in Defence of the Clauſe before us which does not tend to diſcover its Weakneſs and Inefficacy. The warmeſt Patrons of this Expedient are impelled by the mere Force of Conviction to ſuch Conceſſions as invalidate all their Arguments, and leave their Opponents no Neceſſity of replying.

'If ſhort Voyages are not comprehended in this Proviſion what are we now controverting? what but the Expedience of a Law that will never be executed? The Sailors, however they are contemned by thoſe who think them only worthy to be treated like Beaſts of Burthen, are not yet ſo ſtupid but that they can eaſily find out, that to ſerve a Fortnight for greater Wages is more eligible than to toil a Month for leſs; and as the numerous Equipments that have been lately made have not left many more Sailors in the Service of the Merchants than may be employ'd in the Coaſting Trade, thoſe who traffic to remoter Parts muſt ſhut up their Books, and wait till the Expiration of this Act for an Opportunity of renewing their Commerce.

'To regulate the Wages for one Voyage, and to leave another without Limitation, in time of Scarcity of Seamen, is abſolutely to prohibit that Trade which is ſo reſtrained, and is doubtleſs a more effectual Embargo than has been yet invented.

'Let any Man but ſuppoſe that the Eaſt-India Company were obliged to give only half the Wages that other Traders allow,

low, and conſider how that part of our Commerce could be carried on; would not their Goods rot in their Warehouſes, and their Ships lie for ever in the Harbour? Would not the Sailors refuſe to contract with them? or deſert them after a Contract, upon the firſt Proſpect of more advantageous Employment? Anno 14, Geo. II. 1740.

'But it is not requiſite to multiply Arguments in a Queſtion which may not only be decided without long Examination, but in which we may determine our Concluſions by the Experience of our Anceſtors. Scarcely any right or wrong Meaſures are without a Precedent, and often diſcover what the moſt enlightned Reaſon failed to foreſee.

'Let us therefore improve the Errors of our Anceſtors to our own Advantage, and whilſt we neglect to imitate their Virtues, let us at leaſt forbear to repeat their Follies.'

Mr. Alderman Perry.

SIR,

'There is one Objection more which my Acquaintance with foreign Trade impreſſes too ſtrongly upon my Mind to permit me to conceal it. Mr. Perry.

'It is well known that the Condition of a Seaman ſubjects him to the Neceſſity of ſpending a great part of his Life at a Diſtance from his native Country, in Places where he can neither hear of our Deſigns, nor be inſtructed in our Laws, and therefore it is evident that no Law ought to affect him before a certain Period of Time, in which he may reaſonably be ſuppoſed to have been informed of it. For every Man ought to have it in his Power to avoid Puniſhment, and ſuffer only for Negligence and Obſtinacy.

'It is quite unneceſſary, Sir, to obſerve to this Aſſembly, that there are now, as at all times, great Numbers of Sailors in every part of the World, and that they at leaſt equally deſerve our Regard with thoſe who are under the more immediate Influence of the Government.

'Theſe Seaman have already contracted for the Price of their Labour, and the Recompence of their Hazards, nor can we, in my Opinion, without manifeſt Injuſtice, diſſolve a Contract founded upon Equity, and confirmed by Law.

'It is, Sir, an undiſputed Principle of Government, that no Perſon ſhould be puniſhed without a Crime; but is it not a Puniſhment to deprive a Man of what is due to him by a Stipulation, the Condition of which is on his Part fully fulfilled?

'Nothing, Sir, can be imagined more calamitous than the diſappointment to which this Law ſubjects the unhappy Men

Anno 14, Geo II 1740.

Men who are now promoting the Intereſt of their Co in diſtant Places, amidſt Dangers and Hardſhips, in unhe Climates and barbarous Nations, where they comfort ſelves under the Fatigues of Labour and the Miſer Sickneſs, with the Proſpect of the Sum which they ſha for the Relief of their Families, and the Reſpite their Wages will enable them to enjoy; but upon the turn they find their Hopes blaſted, and their Contra ſolved by a Law made in their Abſence.

'No human Being, I think, can coolly and delib inflict a Hardſhip like this, and therefore I doubt n thoſe who have by Inadvertency given room for this tion, will either remove it by an Amendment, or wha my Opinion, more eligible, reject the Clauſe as inexp uſeleſs, and unjuſt.'

Sir William Yonge.

SIR,

Sir William Yonge.

'This Debate has been protracted, not by any Diſſ ariſing from the Nature of the Queſtions which ha the Subject of it, but by a Neglect with which almoſt Opponents of the Bill may be juſtly charged, the N of diſtinguiſhing between Meaſures eligible in them and Meaſures preferable to Conſequences which are hended from particular Conjunctures; between Law only to advance the public Happineſs, and Expedi which the Benefit is merely occaſional, and of wh ſole Intention is to avert ſome national Calamity, and are to ceaſe with the Neceſſity that produced them.

'Such are the Meaſures, Sir, which are now in Meaſures, which in Days of Eaſe, Security, and Pro it would be the higheſt Degree of Weakneſs to p but of which I cannot ſee the Abſurdity in Times o ger and Diſtreſs. Such Laws are the Medicines of uſeleſs and nauſeous in Health, but preferable to a li Diſeaſe, or to a miſerable Death.

'Even thoſe Meaſures, Sir, which have been mo as moſt groſly abſurd, and repreſented as parallel to t viſion made in this Clauſe, only to expoſe it to Contu Ridicule, may in particular Circumſtances be raiſe juſt. To ſettle the Price of Corn in the Time of a l may become the wiſeſt State, and Multitudes might, i of public Miſery, by the Benefit of temporary L preſerved from Deſtruction. Even thoſe Maſts, to with a proſperous Gale, the Ship owes its Uſefulneſs Speed, are often cut down by the Sailors in the F Storm.

Anno 14, Geo. II. 1740.

'With regard to the Ships which are now in diſtant Places, neither no Knowledge of this Law can poſſibly be conveyed, it cannot be denied that their Crews ought to be ſecured from Injury by ſome particular Exception; for tho' it is evident in Competitions between public and private Intereſt, which ought to be preferred, yet we ought to remember that no unneceſſary Injury is to be done to Individuals, even while we are providing for the Safety of the Nation.'

Mr. Fazakerley.

Mr. Fazakerley.

'Sir,

'Tho' I cannot be ſuppoſed to have much Acquaintance with naval Affairs, and therefore may not perhaps diſcover the full Force of the Arguments that have been urged in favour of the Clauſe now under Conſideration, yet I cannot but think myſelf under an indiſpenſable Obligation to examine it as far as I am able, and to make uſe of the Knowledge which I have acquired, however inferior to that of others.

'The Argument, Sir, the only real Argument, which has been produced in favour of the Reſtraint of Wages now propoſed, appears to me by no means concluſive; nor can I believe that the meaneſt and moſt ignorant Seaman would, if it was propoſed to him, heſitate a Moment for an Anſwer to it. Let me ſuppoſe, Sir, a Merchant urging it as a Charge againſt a Seaman, that he raiſes his Demand of Wages in time of War, would not the Sailor readily reply, that hard Labour required larger Pay? Would he not aſk, why the general Practice of Mankind is charged as a Crime upon him only? Enquire, ſays he, of the Workmen in the Docks, have they not double Wages for double Labour? Is not their Lot ſafe and eaſy in Compariſon with mine, who at once encounter Danger and ſupport Fatigue; carry on War and Commerce at the ſame time, to conduct the Ship and oppoſe the Enemy, and am equally expoſed to Captivity and Shipwreck?

'That this is in reality the State of a Sailor in Time of War, I think, Sir, too evident to require Proof; nor do I ſee what Reply can be made to the Sailor's artleſs Expoſtulation.

'I know not why the Sailors alone ſhould ſerve their Country to their Diſadvantage, and be expected to encounter Danger without the Incitement of a Reward.

'Nor will any Part of the Hardſhips of this Clauſe be mitigated by the Expedient ſuggeſted by an Honourable Member, who ſpoke ſome time ago of granting, or allowing, a Sailor, whoſe Contract ſhall be void, what our Courts of Law ſhould adjudge him to deſerve, a *Quantum meruit*. For, accord-

Anno 14, Geo. II. 1740.

according to the general Interpretation of our Statut will be determined that he has forfeited his whole Cla illegal Contract. To inſtance, Sir, the Statute of U He that ſtipulates for higher Intereſt than is allowed, able to recover his legal Demand, but irrecoverably the whole.

'Thus, Sir, an unhappy Sailor, who ſhall inn tranſgreſs this Law, muſt loſe all the Profits of his V and have nothing to relieve him after his Fatigues; bu he has by his Courage repelled the Enemy, and by h eſcaped Storms and Rocks, muſt ſuffer yet ſeverer Ha in being ſubject to a Forfeiture where he expected A Comfort, and Recompence.'

Mr. Ryder, (Attorney General.)

SIR,

Mr. Ryder.

'The Clauſe before us cannot, in my Opinion, any ſuch dreadful Conſequences as the learned Ge appears to imagine: However, to remove all Diffic have drawn up an Amendment, which I ſhall beg propoſe, That the Contracts, which may be affecte Clauſe now ſtands, *ſhall be void only as to ſo much of* ges *as ſhall exceed the Sum to which the Houſe ſhall reduce the Seaman's Pay*; and as to the Forfeitures, t not to be levied upon the Sailors, but upon the Me or trading Companies, who employ them, and who to pay greater Sums without being involved in Pove Diſtreſs.

'With regard, Sir, to the Reaſons for introduci Clauſe, they are, in my Judgment, valid and equitabl have found it neceſſary to fix the Rate of Money at l and the Rate of Labour in ſeveral Caſes; and if we in this Caſe, what will be the Conſequence? A ſeco bargo on Commerce, and perhaps a total Stop to all Preparations. Is it reaſonable that any Man ſhould Labour according to the immediate Neceſſities of th employ him? Or that he ſhould raiſe his own For the public Calamities? If this has hitherto been a I it is a Practice contrary to the general Happineſs of ; and ought to prevail no longer.

'If the Sailor, Sir, is expoſed to greater Dan Time of War, is not the Merchant's Trade carried wiſe at greater Hazard? Is not the Freight, equally Sailors, threatened at once by the Ocean and the I And is not the Owner's Fortune equally impaired, the Ship is daſhed upon a Rock, or ſeized by a Priv

'The Merchants, therefore, have as much Reaſon for paying leſs Wages in Time of War, as the Sailor for demanding more, and nothing remains but that the Legiſlative Power determine a Medium between their different Intereſts, with Juſtice, if poſſible, at leaſt with Impartiality.' Anno 14. Geo. II. 1740.

Mr. Horatio Walpole.

SIR,

'I was unwilling to interrupt the Courſe of this Debate whi'e it was carried on with Calmneſs and Decency, by Men who do not ſuffer the Ardour of Oppoſition to cloud their Reaſon, or tranſport them to ſuch Expreſſions as the Dignity of this Aſſembly does not admit. I have hitherto deferr'd to anſwer the Gentleman who declaimed againſt the Bill with ſuch Fluency and Rhetoric, and ſuch Vehemence of Geſture, who charged the Advocates for the Expedients now propoſed, with having no Regard to any Intereſt but their own, and with making Laws only to conſume Paper, and threatened them with the Defection of their Adherents, and the Loſs of their Influence, upon this new Diſcovery of their Folly, and their Ignorance. Mr. Horatio Walpole.

'Nor, Sir, do I now anſwer him for any other Purpoſe than to remind him how little the Clamour of Rage, and Petulancy of Invectives, contribute to the Purpoſe for which this Aſſembly is called together; how little the Diſcovery of Truth is promoted, and the Security of the Nation eſtabliſhed by pompous Diction, and theatrical Emotion.

'Formidable Sounds, and furious Declamations, confident Aſſertions, and lofty Periods, may affect the young and unexperienced, and perhaps the Gentleman may have contracted his Habits of Oratory by converſing more with thoſe of his own Age, than with ſuch as have had more Opportunities of acquiring Knowledge, and more ſucceſsful Methods of communicating their Sentiments.

If the Heat of his Temper, Sir, would ſuffer him to attend to thoſe whoſe Age and long Acquaintance with Buſineſs give them an indiſputable Right to Deference and Superiority, he would learn, in Time, to reaſon rather than declaim, and to prefer Juſtneſs of Argument, and an accurate Knowledge of Facts, to ſounding Epithets and ſplendid Superlatives, which may diſturb the Imagination for a Moment, but leave no laſting Impreſſion on the Mind.

'He will learn, Sir, that to accuſe and prove are very different, and that Reproacher, unſupported by Evidence, affect only the Character of him that utters them. Excurſions of Fancy, and Flights of Oratory, are indeed pardonable in young Men, but in no other; and it would ſurely

Anno 13, Geo. II. 1740.

contribute more, even to the Purpoſe for which ſome Gentlemen appear to ſpeak, that of depreciating the Conduct of the Adminiſtration, to prove the Inconveniencies and Injuſtice of this Bill, than barely to aſſert them, with whatever Magnificence of Language, or Appearance of Zeal, Honeſty, or Compaſſion.'

Mr. Pitt.

SIR,

Mr. Pitt.

'The atrocious Crime of being a young Man, which the Honourable Gentleman has with ſuch Spirit and Decency charged upon me, I ſhall neither attempt to palliate, nor deny, but content myſelf with wiſhing that I may be one of thoſe whoſe Follies may ceaſe with their Youth, and not of that Number who are ignorant in ſpite of Experience.

'Whether Youth can be imputed to any Man as a Reproach, I will not, Sir, aſſume the Province of determining; but ſurely Age may become juſtly contemptible, if the Opportunities which it brings have paſt away without Improvement, and Vice appears to prevail when the Paſſions have ſubſided. The Wretch that, after having ſeen the Conſequences of a Thouſand Errors, continues ſtill to blunder, and whoſe Age has only added Obſtinacy to Stupidity, is ſurely the Object of either Abhorrence or Contempt, and deſerves not that his grey Head ſhould ſecure him from Inſults.

'Much more, Sir, is he to be abhorr'd, who, as he has advanced in Age, has receded from Virtue, and becomes more wicked with leſs Temptation; who proſtitutes himſelf for Money which he cannot enjoy, and ſpends the Remains of his Life in the Ruin of his Country.

'But Youth, Sir, is not my only Crime; I have been accuſed of acting a theatrical Part—A theatrical Part may either imply ſome Peculiarities of Geſture, or a Diſſimulation of my real Sentiments, and an Adoption of the Opinions and Language of another Man.

'In the firſt Senſe, Sir, the Charge is too trifling to be confuted, and deſerves only to be mentioned, that it may be deſpiſed. I am at Liberty, like every other Man, to uſe my own Language; and though I may perhaps have ſome Ambition to pleaſe this Gentleman, I ſhall not lay myſelf under any Reſtraint, nor very ſollicitouſly copy his Diction, or his Mien, however matured by Age, or modelled by Experience.

'If any Man ſhall, by charging me with theatrical Behaviour, imply, that I utter any Sentiments but my own, I ſhall treat him as a Calumniator, and a Villain; nor ſhall any Protection ſhelter him from the Treatment which he deſerves. I ſhall, on ſuch an Occaſion, without Scruple, trample upon all

all thoſe Forms with which Wealth and Dignity intrench themſelves, nor ſhall any Thing but Age reſtrain my Reſentment; Age, which always brings one Privilege, that of being inſolent and ſupercilious without Puniſhment. Anno 14, Geo. II. 1740.

'But, with Regard, Sir, to thoſe whom I have offended, I am of Opinion, that if I had acted a borrowed Part, I ſhould have avoided their Cenſure; the Heat that offended them is the Ardour of Conviction, and that Zeal for the Service of my Country, which neither Hope nor Fear ſhall influence me to ſuppreſs. I will not ſit unconcerned while my Liberty is invaded, nor look in Silence upon public Robbery —I will exert my Endeavours, at whatever Hazard, to repel the Aggreſſor, and drag the Thief to Juſtice, whoever may protect them in their Villany, and whoever may partake of their Plunder. ---And if the Honourable Gentleman——

Mr. Winnington call'd to Order, and Mr. Pitt ſitting down, he proceeded thus.

SIR,

'It is neceſſary, that the Order of this Aſſembly be obſerved, and the Debate reſumed without perſonal Altercations. Such Expreſſions as have been vented on this Occaſion, become not an Houſe entruſted with the Liberty and Welfare of their Country. To interrupt the Debate on a Subject ſo important as that before us, is, in ſome meaſure, to obſtruct the public Happineſs, and violate our Truſt: But much more heinous is the Crime of expoſing our Determinations to Contempt, and inciting the People to Suſpicion or Mutiny, by indecent Reflections, or unjuſt Inſinuations. Mr. Winnington.

'I do not, Sir, undertake to decide the Controverſy between the two Gentlemen, but muſt be allowed to obſerve, that no Diverſity of Opinion can juſtify the Violation of Decency, and the Uſe of rude and virulent Expreſſions; Expreſſions dictated only by Reſentment, and uttered without Regard to——

Here Mr. Pitt called to Order, and ſaid,

SIR,

'If this be to preſerve Order, there is no Danger of Indecency from the moſt licentious Tongue; for what Calumny can be more atrocious, or what Reproach more ſevere, than that of ſpeaking with Regard to any thing but Truth. Order may ſometimes be broken by Paſſion, or Inadvertency, but will hardly be re-eſtabliſh'd by Monitors like this, who cannot govern his own Paſſion, whilſt he is reſtraining the Impetuoſity of others. Mr. Pitt.

Anno 14, Geo. II. 1740.

'Happy, Sir, would it be for Mankind, if every one knew his own Province; we ſhould not then ſee the ſame Man at once a Criminal and a Judge; nor would this Gentleman aſſume the Right of dictating to others what he has not learned himſelf.

'That I may return in ſome Degree the Favour which he intends me, I will adviſe him never hereafter to exert himſelf on the Subject of Order; but whenever he finds himſelf inclined to ſpeak on ſuch Occaſions, to remember how he has now ſucceeded, and condemn in Silence what his Cenſures will never perform.

Mr. Winnington.

SIR,

Mr. Winnington.

'As I was hindered by the Gentleman's Ardour and Impetuoſity from concluding my Sentence, none but myſelf can know the Equity or Partiality of my Intentions, and therefore, as I cannot juſtly be condemn'd, I ought to be ſuppoſed innocent; nor ought he to cenſure a Fault of which he cannot be certain that it would ever have been committed.

'He has indeed exalted himſelf to a Degree of Authority never yet aſſumed by any Member of this Houſe, that of condemning others to Silence. I am henceforward, by his inviolable Decree, to ſit and hear his Harangues without daring to oppoſe him. How wide he may extend his Authority, or whom he will proceed to include in the ſame Sentence, I ſhall not determine; having not yet arrived at the ſame Degree of Sagacity with himſelf, not being able to foreknow what another is going to pronounce.

'If I had given Offence by any improper Sallies of Paſſion, I ought to have been cenſured by the concurrent Voice of the Houſe, or have received a Reprimand, Sir, from you, to whom I ſhould have ſubmitted without Oppoſition; but I will not be doomed to Silence by one who has no Pretenſions to Authority, and whoſe arbitrary Deciſions can only tend to introduce Uproar, Diſcord and Confuſion.'

Mr. Henry Pelham.

SIR,

Mr. Pelham.

'When, in the Ardour of Controverſy upon intereſting Queſtions, the Zeal of the Diſputants hinders them from a nice Obſervation of Decency and Regularity, there is ſome Indulgence due to the common Weakneſs of our Nature; nor ought any Gentleman to affix to a negligent Expreſſion a more offenſive Senſe than is neceſſarily implied by it.

'To ſearch deep, Sir, for Calumnies and Reproaches is no laudable nor beneficial Curioſity; it muſt always be troubleſome

urſelves, by alarming us with imaginary Injuries; often be unjuſt to others, by charging them with In- which they never intended. General Candour and ndernefs will beſt preſerve our own Quiet, and ſup- Dignity which has always been accounted eſſential l Debates, and ſeldom infringed without dangerous aces.'

rttleton,

Mr. Lyttleton

Man can be more zealous for Decency than myſelf, onvinced of the Neceſſity of a methodical Proſecu- e Queſtion before us. I am well convinced how ency and Faction are to one another, and how ine- confuſion produces Obſcurity; but I hope it will remembered, that he who firſt infringes Decency, s from Method, is to anſwer for all the Conſe- hat may ariſe from the neglect of Parliamentary For it is not be expected that any Man will bear es without Reply, or that he who wanders from ion will not be followed in his Digreſſions, and rough his Labyrinths.

not, Sir, be denied, that ſome Inſinuations were ut- rious to thoſe whoſe Zeal may ſometimes happen them to warm Declarations, or to incite them to Emotions. Whether I am of Importance enough ded in the Cenſure, I deſpiſe it too much to enquire r, but cannot forbear to obſerve, that Zeal for the never become reproachful, and that no Man can contempt but thoſe who deſerve it.'

[The Clauſe was amended and agreed to.]

d, That all the Members of this Houſe, who are out the Town, do attend the Service of the Houſe ay Morning next.

th. The Houſe proceeded to take into Conſidera- opy of a Charter of the Turkey Company, and the er Papers relating to the ſaid Company; and ſeve- its were alſo read. Ordered, that a Bill be brought larging and regulating the Trade to the Levant

h. Received a Petition of the Mayor and Common- e City of York, complaining of the Decay of the anufacture; and repreſenting to the Houſe, That oblige all Owners and Manufacturers of Wool, to ie ſame in the Pariſhes in which they reſide, by dependent, and under no Influence, chargeable with

Anno 14, Geo. II. 1740.

with a certain Sum to be paid only by thoſe who export without being compleatly manufactured, ſeems to the P titioners to be a moſt effectual Remedy to this great Evi and therefore praying Relief, &c.

Agreed to the Report of the Bill for ſupplying ſome D fects in the Laws for repairing County-Bridges, and pr viding Houſes of Correction: Ordered it to be engroſſed.

Agreed to the Report of Yeſterday's Reſolutions on t Supply, viz. Reſolved, That 105,275l. 18s. 8d. be gran for the Charge of Tranſports hired to carry Forces to Am rica: That 124,564l. 8s. be granted for the Expence Victuals, provided for the Soldiers employed in the Expe tions to America.

Farther Proceedings in the Seamen's Bill.

The 13th, being appointed for the Report from the Co mittee on the Bill for the Increaſe and Encouragement Sailors, Sir John Barnard preſented a Petition from Merchants of London, and ſpoke as follows.

SIR,

Sir John Barnard

'This Petition I am directed to lay before this Hou many of the principal Merchants of that great City whi have the Honour to repreſent; Men too wiſe to be terri with imaginary Dangers, and too honeſt to endeavour Obſtructions of any Meaſures that may probably advanc public Good, merely becauſe they do not concur with t private Intereſt; Men, whoſe Knowledge and Capacity (ble them to judge rightly, and whoſe acknowledged I grity and Spirit ſet them above the Suſpicion of concu their Sentiments.

'I therefore preſent this Petition in the Name of the M chants of London, in full Confidence that it will be foun deſerve the Regard of this Houſe, though I am equally t the other Members a Stranger to what it contains; for my Opinion that a Repreſentative is to lay before the H the Sentiments of his Conſtituents, whether they agree his own or not, and that therefore it would have been fluous to examine the Petition, which, though I might wholly have approved it, I had no Right to alter.'

The Petition was read, and is as follows:

London Petition againſt it.

The humble Petition of the Merchants and Trade the City of London ſheweth,

That your Petitioners are informed a Bill is depe in this Hon. Houſe, for the Encouragement and Incre Seamen, and for the better and ſpeedier Manning his jeſty's Fleet, in which are Clauſes, that, ſhould the

nto a Law, your Petitioners apprehend will be highly mental to the Trade and Navigation of this Kingdom, by naging Perſons from entering into, or being bred to ea Service, and entirely prevent the better and ſpeedier ing his Majeſty's Fleet, by giving the Seamen of Great in, and of all other his Majeſty's Dominions, a Diſ- of ſerving on board the Royal Navy. Anno 14, Geo II. 1740.

hat your Petitioners conceive nothing can be of ſo bad equence to the Welfare and Defence of this Nation, as eating ſo uſeful and valuable a Body of Men, who are atural Strength and Security, like Criminals of the eſt Nature, and ſo differently from all other his Ma- s Subjects; and at the ſame time are perſuaded, that nly effectual and ſpeedy Method of procuring, for the ce of his Majeſty's Fleet, a proportionable Number of ailors in this Kingdom, is to diſtinguiſh that Body of by Bounties and Encouragements, both preſent and e, and by aboliſhing all Methods of Severity and ill e, particularly that Practice whereby they are deprived, long and hazardous Voyages, of enjoying for a ſhort e of Time the Comforts of their Families, and equal ty with other their Fellow Subjects in their Native try.

hat your Petitioners believe, it will not be difficult to ſuch Methods pointed out, as will tend to ſupply the nt Neceſſities, and at the ſame Time effectually pro- the Increaſe of Seamen, when this Hon. Houſe ſhall t fit to enquire into a Matter of ſuch high Importance e Naval Power, Trade, and Riches of this Kingdom.

hat your Petitioners are convinced this Bill will not be ineffectual to anſwer the Ends propoſed by it, but be deſtructive of the Liberties of all his Majeſty's Sub- as it impowers any Pariſh Officer, accompany'd with limited Number of Perſons, at any Hour, by Day or ight, to force open the Dwelling Houſes, Warehouſes, ther Places, provided for the Security and Defence of Lives and Fortunes, contrary to the undoubted Liber- of the People of Great Britain, and the Laws of this

Conſideration therefore of the Premiſes, and of the milar Prejudices, Hardſhips, and Dangers, which muſt nbly attend your Petitioners, and all others the Mer- s and Traders of this Kingdom, ſhould this Bill paſs a Law, your Petitioners moſt humbly pray, the Ho- ble Houſe, that they may be heard by their Counſel t the ſaid Clauſes in the ſaid Bill.

e ſaid Petition was ordered to lie on the Table; and the

Anno 14, Geo II. 1740. the Honourable Mr. Bathurſt then preſented a Petiti ſpoke as follows.

Mr. Bathurſt.

SIR,

Mr. Bathurſt. 'The Alarm which the Bill now depending has is not confined to the City of London, or to any pa Province of his Majeſty's Dominions; the whole is thrown into Commotions, and the Effects of the L propoſed are dreaded far and wide as a general Ca Every Town which owes its Trade and its Proviſion vigation, apprehends the Approach of Poverty and S and thoſe which are leſs immediately affected, con Infraction of our Liberties as a Prelude to their Deſt Happy would it be, if we who are entruſted with t tereſt, could find any Arguments to convince them th Terror was merely panic.

'That theſe Fears have already extended their I to the County which I repreſent, the Petition which beg Leave to lay before the Houſe, will ſufficiently and I hope their Remonſtrances will prevail with ſembly to remove the Cauſe of their Diſquiet, by the Bill.'

Glouceſter Petition. This, was entitled a Petition of ſeveral Gentlemen holders, and other Inhabitants of the County of Gl in Behalf of themſelves and all other the Freeholder ſaid County, ſetting forth in Subſtance.

That the Petitioners being inform'd that a B depending in this Houſe, for the Encouragem Increaſe of Seamen, and for the better and ſpeedi ning his Majeſty's Fleet, containing ſeveral Clauſes, ſhould the Bill paſs into a Law, would, as the Pe apprehend, impoſe Hardſhips upon the People to to be borne, and create Diſcontents in the Minds Majeſty's Subjects; would ſubvert all the Rights vileges of a Briton, and overturn Magna Charta the Baſis on which they are built; and by theſe me ſtroy that very Liberty, for the Preſervation of wh preſent Royal Family was eſtabliſhed upon the Th Great Britain; for which Reaſons ſuch a Law cou be obeyed, or much Blood would be ſhed in Conſ of it.

Mr. Henry Pelham.

SIR,

Mr. Pelham. 'I have attended to this Petition with the utmoſt tiality, and have endeavoured to affix to every Pe moſt innocent Senſe, but cannot forbear to declare

Opinion that it is far diſtant from the Stile of Submiſſion and Requeſt; inſtead of perſuading, they attempt to intimidate us, and menace us with no leſs than Bloodſhed and Rebellion. They make themſelves the Judges of our Proceedings, and appeal from our Determinations to their Opinion, and declare that they will obey no longer than they approve. Anno 14, Geo II. 1740.

'If ſuch Petitions as theſe, Sir, are admitted; if the Legiſlature ſhall ſubmit to receive Laws, and Subjects reſume at Pleaſure the Power with which the Government is veſted, what is this Houſe but a Convention of empty Phantoms, whoſe Determinations are nothing more than a Mockery of State?

'Every Inſult upon this Houſe is a Violation of our Conſtitution; and the Conſtitution, like every other Fabric, by being often battered, muſt fall at laſt. It is indeed already deſtroyed, if there be in the Nation any Body of Men who ſhall with Impunity refuſe to comply with the Laws, plead the great Charter of Liberty againſt thoſe Powers that made it, and fix the Limits of their Obedience.

'I cannot, Sir, paſs over in Silence the Mention of his Majeſty, whoſe Title to the Throne, and the Reaſons for which he was exalted to it, are ſet forth with uncommon Art and Spirit of Diction, but Spirit, which, in my Opinion, appears not raiſed by Zeal, but by Sedition, and which therefore it is our Province to repreſs.

'That his Majeſty reigns for the Preſervation of Liberty, will be readily confeſſed, but how ſhall we be able to preſerve it, if his Laws are not obeyed?

'Let us therefore, in regard to the Dignity of this Houſe, to the Efficacy of our Determinations, and the Security of our Conſtitution, diſcourage all thoſe who ſhall addreſs us for the future on this or any other Occaſion, from ſpeaking in the Stile of Governors and Dictators, by refuſing that this Petition ſhould be laid on the Table."

The Queſtion was put, and it was agreed that it ſhould not lye on the Table; Ayes 144, Noes 196.

Mr. Henry Pelham roſe up again, and ſpoke thus:

SIR,

'I cannot but congratulate the Houſe upon the Unanimity with which this Petition, a Petition of which I ſpeak in the ſofteſt Language, when I call it irreverent and diſreſpectful, has been refuſed the Regard commonly paid to the Remonſtrances of our Conſtituents, whoſe Rights I am far Mr. Henry Pelham.

Anno 14, Geo II. 1740

from deſiring to infringe, when I endeavour to regulate their Conduct, and recal them to their Duty.

'This is an Occaſion, on which it is, in my Opinion, neceſſary to exert our Authority with Confidence and Vigour, as the Spirit of Oppoſition muſt always be proportioned to that of the Attack. Let us therefore not only refuſe to this Petition the uſual Place on our Table, but reject it as unworthy of this Houſe.

[The Queſtion was put and the Petition rejected]

The Houſe then entered upon the Conſideration of the Bill, and when the Report was made from the Committee, and the Blanks fill'd up, Sir William Yonge ſpoke in the following Manner:

SIR,

Sir William Yonge.

'The Bill has been brought by ſteady Perſeverance and diligent Attention to ſuch Perfection that much more important Effects may be expected from it than from any former Law for the ſame Purpoſe, if it be executed with the ſame Calmneſs and Reſolution, the ſame Contempt of popular Clamour, and the ſame invariable and intrepid Adherence to the public Good, that has been ſhewn in forming and defending it.

'But what can we hope from this or any other Law, if particular Men, who cannot be convinc'd of its Expedience, ſhall not only refuſe to obey it, but declare their Deſign of obſtructing the Execution of it? ſhall determine to retire from the Sphere of their Authority, rather than exerciſe it in Compliance with the Decree of the Senate, and threaten in plain Terms to call the Country in to their Aſſiſtance, and to pour the Rabble by Thouſands upon thoſe who ſhall dare to do their Duty, and obey their Governors?

'Such Declarations as theſe, Sir, are little leſs than Sallies of Rebellion, and if they paſs without Cenſure, will perhaps produce ſuch Commotions as may require to be ſuppreſſed by other Means than Forms of Law and Parliamentary Cenſures.

'Nor do I think that by rejecting the Petition, we have ſufficiently eſtabliſh'd our Authority; for, in my Opinion, we yielded too much in receiving it. The Bill before us, whatever may be its Title, is in reality a Money-Bill, a Bill by which Aids are granted to the Crown, and we have therefore no Neceſſity of rejecting Petitions on this Occaſion, becauſe the ſtanding Orders of the Houſe forbid us to admit them.'

They

They then proceeded to the Amendments, and when the Clauſe for limiting the Wages of Seamen was read, Sir John Barnard roſe up, and ſpoke to this Effect. Anno 14, Geo II. 1740.

Sir,

Sir John Barnard.

'We are now to conſider the Clauſe to which the Petition relates which I have now preſented, a Petition on a Subject of ſo general Importance, and offer'd by Men ſo well acquainted with every Argument that can be offer'd, and every Objection that can be raiſed, that their Requeſt of being heard by their Council, cannot be denied, without expoſing us to the Cenſure of adhering obſtinately to our own Opinions, of ſhutting our Ears againſt Information, of preferring Expedients to Security, and diſregarding the Welfare of our Country.

'It will not be neceſſary, to defer our Determinations on this Clauſe for more than three Days, tho' we ſhould gratify this juſt and common Requeſt. And will not this Loſs be amply compenſated by the Satisfaction of the People, for whoſe Safety we are debating, and by the Conſciouſneſs that we have neglected nothing which might contribute to the Efficacy of our Meaſures?

'The Merchants, Sir, do not come before us with loud Remonſtrances and harraſſing Complaints, they do not apply to our Paſſions but our Underſtandings, and offer ſuch Informations as will very much facilitate the public Service. It has been frequent, in the Courſe of this Debate, to hear loud Demands for better Expedients, and more efficacious than thoſe which have been propoſed, and is it to be conceived that thoſe who called thus eagerly for new Propoſals intended not to inform themſelves but to ſilence their Opponents?

'From whom, Sir, are the beſt Methods for the Proſecution of naval Affairs to be expected, but from thoſe whoſe Lives are ſpent in the Study of Commerce? whoſe Fortunes depend upon the Knowledge of the Sea, and who will moſt probably exert their Abilities in contriving Expedients to promote the Succeſs of the War, than they whom the Miſcarriage of our Fleets muſt irreparably ruin?

'The Merchants, Sir, are enabled by their Profeſſion to inform us, are deter'd by their Intereſt from deceiving us; they have, like all other Subjects, a Right to be heard on any Queſtion, and a better Right than any other when their Intereſt is more immediately affected; and therefore to refuſe to hear them, will be at once impolitic and cruel; it will diſcover at the ſame time a Contempt of the moſt valuable part of our Fellow-ſubjects, and an inflexible Adherence to our own Opinions.

determined without the cleareſt Knowledge and exact
formation.'

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

'The Petition, whether juſtifiable or not, with Re
the Occaſion on which it is preſented, or the Lang
which it is expreſſed, is certainly offered at an im
Time, and therefore can lay no Claim to the Regard
Houſe.

'The Time preſcribed by the Rules of this Houſe
Reception of Petitions is that, at which the Bill is fir
duced, not at which it is to be finally determined.

'The Petition before us is ſaid not to regard the
general, but a particular Clauſe; and it is therefore a
that it may now properly be heard; but this Plea will
diately vaniſh, when it ſhall be made appear that the
is not mentioned in it, and that there is no particula
tion between that and the Petition, which I ſhall attem

Sir John Barnard.

SIR,

Sir John Barnard.

'I riſe thus abruptly, to preſerve the Order of this
and to prevent any Gentleman from having in this
any other Advantage above the reſt, than that of
Abilities, or more extenſive Knowledge.

'The Petition was not ordered by the Houſe to be
in the Right Honourable Gentleman's Hand, but
Table; nor has he a Right to make uſe of any other
for his Information, than are in the Power of an

enry Pelham.

t,

ſo far from thinking the Rules of the Houſe aſſert- Mr. Henry Pelham.
in my Opinion, the Right of the Member is infring-
peremptory Demand. Is it not in the higheſt De-
iſite, that he who is about to reaſon upon the Peti-
ld acquaint himſelf with the Subject on which he is

t Inconveniences can enſue from ſuch Liberties as
not able to diſcover, and as all the Orders of the
e, doubtleſs, made for more eaſy and expeditious
; if an Order be contrary to this End, it ought to
ted for the Reaſons for which others are obſerved.
Confidence with which this Petition was preſented,
uffer us to imagine that the Perſon who offer'd it
it can ſuffer by a cloſe Examination, and, I ſuppoſe,
e has ſpoken ſo warmly in Favour of it without
he does not expect that others ſhould with equal
e admit———

n Barnard obſerving that Sir Robert Walpole leaned
towards the Table, to read the Petition as it lay,
ſaid,

r,

e once more to demand the Obſervation of the Or- Sir John
e Houſe, and to hinder the Right Honourable Gen- Barnard.
om doing by Stratagem, what he did more openly
ſily before.
as to little Purpoſe that he laid down the Petition,
ted it within the reach of his Inſpection; for I was
rous, Sir, to hinder him from reading, and was far
pecting that he would take it away. I inſiſt, that
ward he obey the Rules of this Houſe with his Eyes
with his Hands, and take no Advantage of his Seat,
y enable him to perplex the Queſtion in Debate.'

peaker.

r,

undoubtedly required by the Orders of the Houſe, The Speaker.
Petitions ſhould lie upon the Table, and that any
, who is deſirous of any farther Satisfaction, ſhould
hat they be read by the Clerk, that every Member
e the ſame Opportunity of underſtanding and conſi-
em, and that no one may be excluded from Infor-
mation

Anno 14. Geo II. 1740.

mation by the Curioſity or Delays of another. But portance of this Affair ſeems not to be ſo very great quire a rigorous Obſervance of the Rules; and it wi wiſhed, for the Eaſe and Expedition of our Deli Gentlemen would rather yield Points of Indifferenc another, than inſiſt ſo warmly on Circumſtances of Nature.

Sir Robert Walpole then deſired that the Cler read the Petition, which being immediately done, ceeded in the following Manner.

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

'Having ſat above forty Years in this Aſſem never been called to Order before, I was ſomewha certed by a Cenſure ſo new and unexpected, and Opinion, undeſerved. So that I am ſomewhat at with regard to the Train of Arguments which I endeavour to recover. Yet I cannot but remark, t Gentlemen who are ſo follicitous for Order in other themſelves invariably to obſerve it; and that, if I h given an unhappy Precedent of violating the Rul Houſe, I have, in ſome Meaſure, atoned for my tence, by a patient Attention to Reproof, and a re miſſion to Authority.

'I hope, Sir, I may claim ſome Indulgence from tive of my Offence, which was only a Deſire of A and an Apprehenſion that I might, by miſtaking o ting ſome Paſſages in the Petition, loſe my own T interrupt the Proceedings of the Houſe to no Purpo

'But having now, according to Order, heard the and found no Reaſon to alter my Opinion, I ſhall e to convince the Houſe, that it ought not to be grant

'The Petition, Sir, is ſo far from bearing any Relation to the Clauſe now before us, that it does n Part mention the Expedient propoſed in it, but c general Declaration of Diſcontent, Suſpicion, A ſions of dangerous Proceedings, and Diſlike of ceedings: Inſinuations, Sir, by no Means conſiſt the Reverence due to this Aſſembly, and which th of civil Government requires always to be paid to ſlative Power.

'To ſuſpect any Man, Sir, in common Life, is Degree to detract from his Reputation, which muſ Proportion to the ſuppoſed Wiſdom and Integrity who declares his Suſpicion. To ſuſpect the Conde

Houſe, is to invalidate their Deciſions, and ſubject them to Contempt and Oppoſition. Anno 14 Geo. II. 1740.

'Such and ſuch only appears to be the Tendency of the Petition which has now been read; a Petition, Sir, very unkilfully drawn, if it was intended againſt the Clauſe under our Conſideration, for it has not a ſingle Period or Expreſſion that does not equally regard all the other Clauſes.

'If any particular Objection is made, or any ſingle Grievance more diſtinctly pointed at, it is the Practice of Impreſſes; a Hardſhip I own peculiar to the Sailors; but it muſt be obſerved, that it is a Practice eſtabliſhed by immemorial Cuſtom, and a Train of Precedents not to be numbred; and it is well known that the whole common Law of this Nation is nothing more than Cuſtom, of which the Beginning cannot be traced.

'Impreſſes, Sir, have in all Ages been iſſued out by virtue of the Royal Prerogative, and have in all Ages been obeyed; and if this Exertion of that Authority had been conſidered as a Method of Severity not compenſated by the Benefits which it produces, we cannot imagine but former Parliaments, amidſt all their Ardour for Liberty, all their Tenderneſs for the People, and all their Abhorrence of the Power of the Crown, would have obviated it by ſome Law, at thoſe Times when nothing could have been refus'd them.

'The proper Time for new Schemes and long Deliberations, for amending our Conſtitution, and removing inveterate Grievances, are the Days of Proſperity and Safety, when no immediate Danger preſſes upon us, nor any public Calamity appears to threaten us; but when War is declared, when we are engaged in open Hoſtilities againſt one Nation, and expect to be ſpeedily attacked by another, we are not to try Experiments, but apply to dangerous Evils thoſe Remedies, which, though diſagreeable, we know to be efficacious.

'And though, Sir, the Petitioners had been more particular, I cannot diſcover the Reaſonableneſs of hearing them by their Council; for to what Purpoſe are the Lawyers to be introduc'd? not to inſtruct us by their Learning, for their Employment is to underſtand the Laws that have been already made; and ſupport the Practices which they find eſtabliſhed. But the Queſtion before us relates not to the paſt but the future; nor are we now to examine what has been done in former Ages, but what it will become us to eſtabliſh on the preſent Occaſion: A Subject of Enquiry on which this Houſe can expect very little Information from the Profeſſors of the Law!

'Perhaps

Anno 14, Geo. II. 1740.

‘ Perhaps the Petitioners expect from their Counc
they ſhould diſplay the Fecundity of their Imaginatio
the Elegance of their Language; that they ſhould
us with the Illuſions of Oratory, dazzle us with bright
affect us with ſtrong Repreſentations; and lull us with
monious Periods; but if it be only intended that juſt
and valid Arguments ſhould be laid before us, they wi
received without the Decorations of the Bar. For this
Sir, it would have been ſufficient had the Merchants infor
their Repreſentatives of the Methods which they ha
propoſe; for the Abilities of the Gentlemen whom the
has deputed to this Houſe, are well known to be ſu
ſtand in need of no Aſſiſtance from occaſional Orators.
can it be expected that any Men will be found more ca
of underſtanding the Arguments of the Merchants, or
qualified to lay them before the Houſe.

‘ That every Petitioner has (except on Money-Bi
Right to be heard, is undoubtedly true; but it is no le
dent that this Right is limited to a certain Time, and th
this Occaſion the proper Time is elapſed. Juſtice i
both to Individuals and to the Nation; if Petitions n
any Time be offer'd, and are whenever offer'd to be
a ſmall Body of Men might, by unſeaſonable and impo
Petitions, retard any occaſional Law, till it ſhould b
unneceſſary.

‘ Petitions, Sir, are to be offer'd when a new Bill is be
into the Houſe, that all uſeful Information may be obt
but when it has paſs'd thro' the Examination of the
mittees, has been approved by the Collective Will
the Parliament, and requires only a formal Ratificat
give it the Force of Law, it is neither uſual nor dec
offer Petitions, or declare any Diſlike of what the P
ment has admitted.

‘ We are not, when we have proceeded thus far, t
Pleaders to examine our Conduct, or vary our Deter
tions, according to the Opinions of thoſe whom we co
believe leſs acquainted with the Queſtion than our
Should we once be reduced to ask Advice, and ſubmit to
tors, what would be the Reputation of this Houſe in fo
Courts, or in our own Country? What could be exp
but that our Enemies of every kind would endeavour
gulate our Determinations by bribing our Inſtructors.

‘ Nor can I think it neceſſary that Lawyers ſhould b
ployed in laying before us any Scheme which the Mer
may propoſe, for ſupplying the Defects and redreſſi
Inconveniencies of the Laws, by which Sailors are
ſent levied for the Royal Navy; for how ſhould La

more qualified than other Men, to explain the particular advantages of ſuch Expedients, or to anſwer any Objections which may happen to ariſe? Anno 14, Geo II. 1740.

'It is well known that it is not eaſy for the moſt happy Speaker to impreſs his Notions with the Strength with which he conceives them; and yet harder is the Taſk of tranſmitting imparted Knowledge, of conveying to others thoſe Sentiments which we have not ſtruck out by our own Reflection, nor collected from our own Experience, but received merely from the Dictates of another.

'Yet ſuch muſt be the Information that Lawyers can give us, who can only relate what they have implicitly received, and weaken the Arguments which they have heard, by an imperfect Recital.

'Nor do I only oppoſe the Admiſſion of Lawyers to our Bar, but think the Right of the Merchants themſelves in the preſent Caſe very queſtionable; for tho' in general it muſt be allowed, that every Petitioner has a Claim to our Attention, yet it is to be enquired whether it is likely that the public Happineſs is his chief Concern, and whether his private Intereſt is not too much affected to ſuffer him to give impartial Evidence, or honeſt Information Scarcely any Law can be made by which ſome Man is not either impoveriſhed, or hindered from growing rich; and we are not to liſten to Complaints, of which the Foundation is ſo eaſily diſcovered, or imagine a Law leſs uſeful, becauſe thoſe who ſuffer ſome immediate Inconvenience from it, do not approve it.

'The Queſtion before us is required by the preſent Exigence of our Affairs to be ſpeedily decided; and tho' the Merchants have, with great Tenderneſs, Compaſſion, and Modeſty, condeſcended to offer us their Advice, I think Expedition preferable to any Information that can reaſonably be expected from them, and that, as they will ſuffer in the firſt Place by any Miſconduct of our naval Affairs, we ſhall have more Regard to their Intereſt by manning our Fleet immediately, than by waiting three or four Days for farther Directions.'

Mr. Sandys.

SIR,

'The Merchants of London, whether we conſider their Numbers, their Property, their Integrity, or their Wiſdom, are a Body of too much Importance to be thus contemptuouſly rejected; rejected when they aſk nothing that can be juſtly denied to the meaneſt Subject of the Kingdom; when Mr. Sandys.

Anno 14 Geo. II. 1740.

they propoſe to ſpeak on nothing but what their I enables them to underſtand.

' To no Purpoſe is it urged, that the Bill is far e for if we have not proceeded in the right way, we be in more Haſte to return, in Proportion as we h farther; nor can I diſcover why we ſhould expedit much Aſſiduity, Meaſures which are judged ineff thoſe who know their Conſequences beſt, and for w vantage they are particularly deſigned.

' That we have already ſpent ſo much Time in ex Methods for manning the Fleet, is ſurely one Re we ſhould endeavour at laſt to eſtabliſh ſuch as may tual; nor can we hope to ſucceed without a patient to their Opinion, who muſt neceſſarily be well ex in naval Affairs.

' It is ſurely therefore neither prudent nor juſt t Intelligence from our Aſſemblies, and ridicule the tention of thoſe that offer it; to conſult upon the beſ ents for encouraging and increaſing Sailors, and Merchants offer their Scheme, to treat them as ſau tinent, idle Medlers, that aſſume ——————.'

Mr. (Attorney General) Ryder called him to C ſpoke after this manner:

SIR,

Mr. Ryder.

' It is not very conſiſtent to preſs the Diſpatch of and to retard it at the ſame time by invidious Inf or unjuſt Repreſentations of Arguments or Ex whenever any Expreſſion is cenſured, it ought to be in the ſame Words; for otherwiſe does not the Ani raiſe the Phantom that he encounters? Does he not Stain, which he endeavours with ſo much officiou wipe away?

' That no Epithets of Contempt or Ridicule ha Debate been applied to the Merchants, nor any Vi Decency attempted, it is unneceſſary to prove; and it is neither regular nor candid to repreſent any M gravating the Refuſal of their Petition with Reprot Inſults. But not to dwell longer on this Inciden take the Liberty of reminding the Gentleman, tha Invectives are always at leaſt ſuperfluous, and that neſs of the Day requires rather Arguments than Sa

Mr. Sandys.

SIR,

Mr. Sandys.

' I am by no means convinced that the learned man who charges me with Irregularity, is better a

than myſelf with the Rules and Cuſtoms of this Houſe, which I have ſtudied with great Application, aſſiſted by long Experience. I hope, therefore, it will be no inexcuſable Preſumption, if, inſtead of a tacit Submiſſion to his Cenſure, I aſſert, in my own Vindication, that I have not deviated from the eſtabliſhed Rules of Parliament; that I have ſpoken only in Defence of Merit inſulted; and that I have condemned only ſuch injurious Inſinuations; I did not, Sir, attempt to repeat Expreſſions, as ought not to be heard without Reply.' Anno 14, Geo. II. 1740.

The Speaker.

SIR,

'I believe the Gentleman either heard imperfectly, or miſunderſtood thoſe Expreſſions, which he ſo warmly condemns, for nothing has been uttered that could juſtly excite his Indignation. My Office obliges me on this Occaſion to remark, that the Regard due to the Dignity of the Houſe ought to reſtrain every Member from Digreſſions into private Satire; for in Proportion, as we proceed with leſs Decency, our Determinations will have leſs Influence. The Speaker.

Mr. Henry Pelham.

SIR,

'The Reputation which the Honourable Gentleman has acquired by his uncommon Knowledge of the Uſages of Parliament, is too well founded to be ſhaken; nor was any Attack upon his Character intended, when he was interrupted in the Proſecution of his Deſign. To cenſure any indecent Expreſſion by whomſoever uttered, is doubtleſs conſiſtent with the ſtricteſt Regularity; nor is it leſs improper to obviate any Miſrepreſentation which Inattention or Miſtake may produce. Mr. Pelham.

'I am far, Sir, from thinking that the Gentleman's Indignation was excited rather by Malice than Miſtake; but Miſtakes of this kind may produce Conſequences which cannot be too cautiouſly avoided. How unwillingly would that Gentleman propagate thro' the Nation an Opinion that the Merchants were inſulted in this Houſe, their Intereſt neglected, and their Intelligence deſpiſed, at a Time when no Aſperſion was thrown upon them, nor any thing intended but Tenderneſs and Regard? And yet ſuch had been the Repreſentation of this Day's Debate, which this numerous Audience would have conveyed to the Populace, had not the Miſtake been immediately rectified, and the Rumour cruſhed in the Birth.

Anno 14, Geo II. 1740.

'Nothing, Sir, can be more injurious to the Character of this Houſe, by which the People are repreſented, than to accuſe them of treating any Claſs of Men with Inſolence and Contempt; and too much Diligence cannot be uſed in obviating a Report which cannot be ſpread in the Nation, without giving Riſe to Diſcontent, Clamours, and Sedition.

'Thoſe who ſhall be inclined to reject the Petition, may perhaps act with no leſs Regard to the Merchants, and may promote their Intereſt and their Security with no leſs Ardour than thoſe who moſt ſollicitouſly labour for its Reception. For, if they are not allowed to be heard, it is only becauſe the public Intereſt requires Expedition, and becauſe every Delay of our Preparations is an Injury to Trade.

'That this is not a proper Time for Petitions againſt the Bill to be heard, is univerſally known, and I can diſcover nothing in the Petition that reſtrains it to this particular Clauſe, which is ſo far from being ſpecified, that it appears to be the only Part of the Bill of which they have had no Intelligence.

'Let the warmeſt Advocates for the Petition point out any Part of it that relates to this ſingle Clauſe, and I will retract my Aſſertion; but as it appears that there are only general Declarations of the Inexpediency of the Meaſures propoſed, and the pernicious Tendency of the Methods now in Uſe, what is the Petition, but a Complaint againſt the Bill, and a Requeſt that it ſhould be laid aſide?

'The Practice of Impreſſing, Sir, is particularly cenſured, as ſevere and oppreſſive; a Charge which, however true, has no Relation to this Clauſe, which is intended to promote the voluntary Engagement of Sailors in the Service of the Crown; yet it may not be improper to obſerve, that as the Practice of impreſſing, is, in itſelf very efficacious, and well adapted to ſudden Emergencies, as it has been eſtabliſhed by a long Succeſſion of Ages, and is therefore become almoſt a Part of our Conſtitution; and as it is at this Time neceſſary to ſupply the Navy with the utmoſt Expedition, it is neither decent nor prudent to complain too loudly againſt, or to heighten the Diſcontent of the People at a neceſſary Evil.

'We have, Sir, examined every Part of this Bill with the Attention which the Defence of the Nation requires; we have ſoften'd the Rigour of the Methods firſt propoſed, and admitted no Violence or Hardſhip that is not abſolutely neceſſary to make the Law effectual, which, like every other Law, muſt be executed by Force, if it be obſtructed or oppoſed. We have inſerted a great Number of Amendments, propoſed by thoſe who are repreſented as the moſt anxious Guardians of the Privileges of the People, and it is not ſurely

to

no Purpoſe that the great Council of the Nation has ſo Anno 14, Geo. II. 1740.
ng and ſo ſtudiouſly labour'd.

'Thoſe who are choſen by the People to repreſent them, ave undoubtedly, Sir, ſome Claim as Individuals to their Confidence and Reſpect; for to imagine that they have comitted the great Charge of parliamentary Employments, hat they have truſted their Liberties and their Happineſs to hoſe whoſe Integrity they ſuſpect, or whoſe Underſtandings hey deſpiſe, is to imagine them much more ſtupid than they ave been repreſented by thoſe who are cenſur'd as their Enemies.

'But far different is the Regard due to the Determinaions formed by the collective Wiſdom of the Parliament; a Regard which ought to border upon Reverence, and which s ſcarcely conſiſtent with the leaſt Murmur of Diſſatisfaction.

'If we are to hear the preſent Petitioners, is it not probable that before we have diſpatch'd them, we ſhall be ſollicited by others, who will then plead the ſame Right, ſupported by a new Precedent? And is it not poſſible that by one Interruption upon another, our Meaſures may be delayed, till they ſhall be ineffectual?

'It ſeems to me to be of much more Importance to defend the Merchants than to hear them, and I ſhall therefore think no Conceſſions at this Time expedient, which may obſtruct the great End of our Endeavours, the Equipment of the Fleet.'

Mr. Pulteney.

SIR,

'Notwithſtanding the Art and Eloquence with which the Grant of the Merchants Petition has been oppoſed, I am not yet able to diſcover that any thing is aſked unreaſonable, unprecedented, or inconvenient; and I am confident, that no real Objection can have been over-look'd by the Gentlemen who have ſpoken againſt it. Mr. Pulteney.

'I have ſpent, Sir, thirty five Years of my Life in the Parliament, and know that Information has always upon important Queſtions been willingly received; and it cannot ſurely be doubted that the Petitioners are beſt able to inform us of naval Buſineſs, and to judge what will be the right Method of reconciling the Sailors to the public Service, and of ſupplying our Fleets without injuring our Trade.

'Their Abilities and Importance have been hitherto ſo generally acknowledged, that no Parliament has yet refuſed to attend to their Opinion, and ſurely we ought not to be ambitious of being the firſt Houſe of the Repreſentatives of the People, that has refuſed an Audience to the Merchants.

'With

Anno 14, Geo. II. 1740

' With regard to the Expedients of delaying the I the preſent Conjuncture; he muſt think very contempt of the Petitioners, who imagines that they have noth offer that will counter-balance a Delay of two Day muſt entertain an elevated Idea of the Vigilance and A of our Enemies, Enemies never before eminent for E tion, if he believes that they can gain great Advant ſo ſhort a Time.

' The chief Reaſon of the Oppoſition appears, i not to be either the Irregularity or Inexpediency of t them, but the Offence which ſome have received fi irreverent Mention of the Power of Impreſſing; a which never can be mentioned without Complaint c teſtation.

' It is not, indeed, impoſſible that they may intent preſent to the Houſe, how much the Sailors are opp how much our Commerce is impeded, and how mu Power of the Nation is exhauſted by this cruel M They may propoſe to ſhew that Sailors, not having the of their Voyages, are often hurried through a ſudden C of Climates from one Extreme to another, and that n can be expected from ſuch Viciſſitudes, but Sickneſs, neſs, and Death. They may propoſe, that to have ju ved from the South may be pleaded as an Exemptio an immediate Voyage to the North, and that the S may have ſome time to prepare himſelf for ſo great teration, by a Reſidence of a few Months in a ter Climate.

' If this ſhould be their Intention, it cannot, in m nion, Sir, be call'd either unreaſonable, or diſreſpectf will their Allegations be eaſily diſproved.

' But it is inſinuated that their Grievances are prope as affect them only as diſtinct from the reſt of the Com and that they have nothing to complain of but a ter Interruption of their private Advantage.

' I have, indeed, no Idea of the private Advanta legal Treader. For unleſs, Sir, we neglect our Duty vided that no Commerce ſhall be carried on to the ment of the Public, the Merchants Profit muſt be th of the Nation, and their Intereſts inſeparably combin

' It may, however, be poſſible, that the Merchan like other Men, prefer their immediate to their gre vantage, and may be impatient of a painful Reme neceſſary to prevent a more grievous Evil. But h cenſure them by Suſpicion, and puniſh them for which it is only poſſible they may commit; let us, Sir, have all the Certainty that can be obtained, and all

a Audience; let us neither be ſo poſitive as not to receive nformation, nor ſo rigorous as not to liſten to Entreaties. Anno 14, Geo II. 1740.

'If the Merchants have nothing to offer, nothing but Complaints; and can propoſe no better Meaſures than thoſe which they lament; if their Arguments ſhould be found to regard only their preſent Intereſt, and to be formed upon narrow Views and private Purpoſes, it will be eaſy to detect the impoſture, and reject it with the Indignation it ſhall deſerve; nor will our Proceedings be then cenſured by the Nation, which requires not that the Merchants ſhould be implicitly believed, though it expects they ſhould be heard. Let us at leaſt have a Convention, tho' we ſhould not be able to conclude a Treaty.

'I know not, Sir, why we have not taken care to obviate all theſe Difficulties, and to remove the Neceſſity of Petitions, Debates, Searches and Impreſſes, by the plain and eaſy Method of a voluntary Regiſter; by retaining ſuch a Number of Seamen as may properly be requiſite upon ſudden Emergencies. Would not the Nation with more Chearfulneſs contribute Half-pay to thoſe who are daily labouring for the public Good, than to the Caterpillars of the Land-Service, that grow old in Lazineſs, and are diſabled only by Vice?

'Let ten thouſand Men receive daily a ſmall Salary, upon Condition that they ſhall be ready, whenever calld upon, to engage in the Service of the Crown, and the Difficulty of our Naval Preparations will be at an End.

'That it is neceſſary to exert ourſelves on this Occaſion, and to ſtrike out ſome Meaſures for ſecuring the Dominion of the Ocean, cannot be denied by any one who conſiders that we have now no other Pretentions to maintain; that all our Influence on the Continent, at whatever Expence gained and ſupported, is now in a manner loſt, and only the Reputation of our naval Strength remains to preſerve us from being trampled and inſulted by every Power, and from finding Spaniards in every Climate.'

Sir William Yonge.

SIR,

'The Violence and Severity of Impreſſes, ſo often and pathetically complained of, appears to be now nothing more than a Puniſhment inflicted upon thoſe who neglect or refuſe to receive the Encouragement offered with the utmoſt Liberality by the Government, and decline the Service of their Country from a Spirit of Avarice, Obſtinacy, or Reſentment. Sir William Yonge.

'That ſuch Men deſerve ſome Severities, cannot be denied, and therefore a Law by which no Penalty ſhould be enacted,

Anno 14, Geo II. 1740.

enacted, would be imperfect and ineffectual. The tion, Sir, of all Laws is to be enforced by Rewar Side, and Puniſhments on the other, that every Pa be influenced, and even our Weakneſs made inſtru the Performance of our Duty.

'In the Bill before us no Puniſhment is indeed ex creed, becauſe the Sailors who ſhall diſregard it, left to their former Hardſhips, from which thoſe gage voluntarily in the Service of the Navy are ex

'Why ſo many Rewards and ſo much Violence neceſſary to allure or force the Sailors into the p vice, I am unable to comprehend. For, exceptin den Change of Climates which may doubtleſs ſometi on Diſtempers, the Service of the King has r vantages which are not common to that of the Mer

'The Wages in the Navy are indeed leſs, but to be remembered, that they are certainly paid, the Sailor is in leſs Danger of loſing by a Tem Wreck, the whole Profits of his Voyage, beca can preſerve his Life, he receives his Pay. But Voyages, the Seamen mortgage their Wages, as for their Care, which, if the Ship is loſt, they demned to forfeit.

'Thus, Sir, the Hardſhips of the Navy appe great when compared with thoſe of the Merchant as they have been hitherto repreſented; and I that if Counſellors were to be heard on both ſ Meaſures taken for ſupplying the Fleet would be be reaſonable and juſt.

Sir John Barnard roſe to ſpeak, when Mr. Fox Order, and proceeded thus.

SIR,

Mr. Fox.

'It is well known to be one of the ſtanding an ble Orders of this Houſe, that no Member ſhall ſp in a Debate on the ſame Queſtion, except when, i Freedom, we reſolve ourſelves into a Committee. Queſtion, the Honourable Gentleman has already ſp cannot therefore be heard again, without ſuch a Tra of our Orders as muſt inevitably produce Confuſion

Sir John Barnard,

SIR,

Sir John Barnard.

'I know not for what Reaſon the Honourable G apprehends any Violation of the Order of the H as I have not yet ſpoken upon the preſent Queſti

undoubted Right to be heard; a Right which that Gentle- Anno 14. Geo II. 1740.
man cannot take away.'

Sir William Yonge.

SIR,

'I know not by what ſecret Diſtinction the Gentleman Sir William Yonge.
reports in his own Mind this Declaration, which, to the whole Houſe muſt appear very difficult to be defended; for it muſt, before we can admit it, allow our Memories to have forſaken us, and our Eyes and Ears to have been deceived.

'Did he not, as ſoon as the Clauſe before us was read, riſe and aſſert the Characters of the Petitioners, and their Right to the Attention of the Houſe? Did he not dwell upon their Importance, their Abilities, and their Integrity; and enforce, with his uſual Eloquence, every Motive to the Reception of the Petition? How then can he aſſert that he has not ſpoken to the preſent Debate, and how can he expect to be heard a ſecond Time, ſince however his Eloquence may pleaſe, and his Arguments convince, that Pleaſure and Conviction cannot now be obtained, without infringing the ſtanding Orders of the Houſe.'

Mr. Speaker.

SIR,

'It is not without Uneaſineſs that I ſee the Time of the Mr. Speaker.
Houſe, and of the Public, waſted in fruitleſs Cavils and unneceſſary Controverſies. Every Gentleman ought now to conſider that we are conſulting upon no trivial Queſtion, and that Expedition is not leſs neceſſary than Accuracy. It cannot be denied, Sir, [to Sir John Barnard] that you have already ſpoken on this Queſtion, and that the Rules of the Houſe do not allow you to ſpeak a ſecond Time.'

Sir Robert Walpole.

SIR,

'I am far from thinking the Order of the Houſe ſo ſacred, Sir Robert Walpole
as that it may not be neglected on ſome important Occaſions; and if the Gentleman has any Thing to urge ſo momentous, that, in his own Opinion, it outweighs the Regard due to our Rules, I ſhall willingly conſent that he ſhall be heard.'

Sir John Barnard.

SIR,

'I am far from being inclined to receive as a Favour, what, Sir John Barnard,
in my own Opinion, I may claim as a Right; and deſire not to owe the Liberty of Speaking to the Condeſcenſion of the Right Honourable Gentleman.

'What I have to urge is no leſs againſt the Bill in general than the particular Clauſe now immediately under our Conſi-

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deration, and tho' the Petition ſhould relate likewi whole Bill, I cannot diſcover why we ſhould refuſe

' Petitions from Men of much inferior Rank, a Intereſt is much leſs cloſely connected with that of t have been thought neceſſary to be heard, nor is th Individual to be injured or reſtrained without being to offer his Arguments in his own Favour. Even neymen-Shoemakers, one of the loweſt Claſſes of munity, have been permitted to bring their Coun Bar, and remonſtrate againſt the Inconveniencies they were afraid of being ſubjected.'

Mr. Winnington.

SIR,

Mr. Winnington.

' I am always willing to hear Petitions, when re drawn up, and regularly ſubſcrib'd, but can by no l cover that this is a real Petition, for I have he Names affixed to it, it is therefore a Requeſt from and by rejecting it no Man is refuſed. It may, ſo be diſcover'd, be drawn up by the Gentleman who and perhaps no other Perſon may be acquainted w

Mr. Hay.

SIR,

Mr. Hay.

' It is, in my Opinion, neceſſary that a Petit Name of the Merchants of London ſhould be by the whole Number, for if only a few ſhould Names to it, how does it appear that it is any th than an Apprehenſion of Danger to their own part tereſt, which perhaps the other Part, their Rivals may conſider as an Advantage, or at leaſt regard w ference. This Suſpicion is much more reaſonabl Petition is ſubſcribed by a ſmaller Number, who ma imagined to have partial Views, and Deſigns not wl ſiſtent with the Intereſt of the Public.'

Sir Charles Wager.

SIR,

Sir. Charles Wager.

' If I am rightly inform'd, another Petition is by ſeveral eminent Merchants, that this Clauſe ma Part of the Bill; and certainly they ought to be well as the preſent Petitioners, which will occaſion unneceſſary Delays, and therefore I am againſt the

Mr. Campbell.

SIR,

Mr Campbell.

' I agree with that Hon. Gentleman that if chants are divided in Opinion upon this Point, ought to be heard as well as the other, and hope

come to a Reſolution for that Purpoſe. For I ſhall in- Anno 14, Geo
variably promote every Propoſal which tends to procure the II. 1740.
beſt Information in all Affairs that ſhall come before us.'

Then the Queſtion was put, That the further Conſideration of the Report be adjourn'd for two Days (in order to hear the Merchants) and it paſſed in the Negative, Ayes 142, Noes 196.

It was likewiſe moved, that Clauſe A, which limits Seamens Wages in the Merchants Service at 35 s. per Month, be rejected: After Debate, it paſſed in the Negative: On a Diviſion, Ayes 127, Noes 183. Reſolved, that Clauſe A, do ſtand a Part of the ſaid Bill.

On the Report the eleven Clauſes of Severity were given up without any Diviſion, and a Clauſe was added, viz. Provided that nothing in this Bill be conſtrued to extend to any Contracts or Agreements for the Hire of Seamen [or Perſons employed as ſuch] in Voyages from Parts beyond the Seas, or to Great Britain.

Ordered, That the Bill with the Amendments be ingroſſed.

The 16th. Read a firſt time, a Bill for enlarging and regulating the Trade to the Levant-Seas.

Read a ſecond Time, a Bill to continue an Act for Relief of Debtors, with reſpect to the Impriſonment of their Perſons; and two ſubſequent Acts for explaining and amending the ſame; and alſo to continue an Act for the free Importation of Cochineal and Indico.

In a Committee, went thro' the Bill for continuing the Duties upon Salt, and upon Red and White Herrings.

Read a third Time, and paſſed the Bill to ſupply ſome Defects in the Laws for repairing and rebuilding County Bridges; and for repairing, enlarging, erecting, and providing Houſes of Correction; and for paſſing Rogues and Vagabonds: Ordered it to the Lords.

Read a ſecond Time the Bill for the Improvement of the Manufacture of Woollen Broad Cloth, and to prevent Abuſes in making of the ſame.

The 17th. Agreed to the Report of the Bill to indemnify Proteſtant Purchaſers of Eſtates of Papiſts, againſt the Penalties or Forfeitures Papiſts are liable to for not having enrolled their Eſtates, &c. with ſeveral Amendments: Ordered it to be engroſſed. Read a firſt Time, a Bill to prevent ſome Inconveniencies ariſing from Inſurances of Ships.

Agreed to the Report of the Bill for continuing the Duties upon Salt, &c. Ordered it to be ingroſſed.

Took into Conſideration the Amendments made by the

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Lords to the Bill to amend the Law concerning common Recoveries, and to explain an Act 29th of K. Charles II. for Prevention of Frauds and Perjuries, ſo far as the ſame relates to Eſtates, *per auter Vie:* And agreed to them, and made another Amendment thereto. Ordered it to the Lords for their Concurrence.

In a Committee, went thro' the Weſtminſter-Bridge-Bill with ſeveral Amendments.

In a Committee, went thro' the Bill for the better Preſervation of the public Roads of England, with ſeveral Amendments.

The 18th. Agreed to the Report of the Bill to continue an Act for Relief of Debtors; and alſo to continue an Act for the free Importation of Cochineal and Indico: Ordered it to be ingroſſed.

Read a third Time, and paſſed the Salt-Bill.

Read a third Time, and paſſed the Bill to indemnify Proteſtant Purchaſers of Eſtates of Papiſts, againſt the Penalties or Forfeitures Papiſts are liable to for not having inrolled their Eſtates, in purſuance of an Act 3d of K. George I. for that Purpoſe: Ordered it to the Lords.

The 19th. Took into Conſideration the Report of the Weſtminſter-Bridge-Bill, and made a Progreſs therein.

The 20th. Read a third Time, and paſſed the Bill to continue an Act for Relief of Debtors, with reſpect to the Impriſonment of their Perſons; and alſo to continue an Act for the Importation of Cochineal and Indico: Ordered it to the Lords.

Read a ſecond Time the Bill for regulating the Trade to the Levant Seas.

In a Committee, went thro' the Bill to amend an Act 6th of K. George I. relating to the Aſſurance of Ships upon Bottomry, with ſeveral Amendments.

Ordered, That the Seamens Bill be read a third time on Monday next.

The 21ſt. Ordered, That the Merchants trading to the Levant Seas, do lay before the Houſe, an Account of the Number of Ships employed in the ſaid Trade for 30 Years paſt, and the Tonnage thereof.

Royal Aſſent given to ſeveral Bills.

Mr. Speaker repoted, That the Houſe had attended His Majeſty in the Houſe of Peers, where his Majeſty was pleaſed to give the Royal Aſſent to,

1. An Act for continuing the Duties upon Malt, Mum, Cyder and Perry, &c.

2. An Act to prohibit the Exportation of Corn, Grain, (Rice excepted) Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork and Bacon, till December 25, 1741.

3. An

3. An Act for puniſhing Mutiny and Deſertion. Anno 14, Geo
4. An Act to indemnify Perſons who have omitted to take the Oaths, &c. II. 1740.

5. An Act for continuing the Duties upon Salt, and on Herrings, to March 25, 1753.

6. An Act to indemnify Proteſtant Purchaſers of Papiſts Eſtates, &c.

7. An Act to prevent the ſtealing and deſtroying of Sheep and other Cattle.

8. An Act for licenſing the Importation of Victual from Ireland, &c. to Scotland, in time of Scarcity.

9. An Act to explain an Act 3d of K. James I. for the Recovery of Small Debts, and for relieving poor Debtors in London.

10. An Act to prevent Inconveniencies ariſing from Delays of Cauſes after Iſſue joined.

11. An Act to amend the Law, concerning common Recoveries; and to amend an Act 29th of K. Charles II. for Prevention of Frauds and Perjuries, ſo far as the ſame relates to Eſtates, *per auter Vie*.

Alſo to 11 Road Acts, to 9 other public, and to 22 private Acts.

The 23d, the engroſſed Bill for the Increaſe and Encouragement of Seamen was read according to Order, when Mr. Digby roſe and ſpoke as follows:

SIR,

'I have a Clauſe to be offered to the Houſe as neceſſary to be inſerted in the Bill before us, which was put into my Hands by a Member, whom a ſudden Misfortune has made unable to attend his Duty, and which, in his Opinion and mine, is of great Importance, and I ſhall therefore take the Liberty of reading it.' Mr. Digby.

"Be it enacted that every Seaman offering himſelf to ſerve his Majeſty, ſhall, upon being refuſed, receive from ſuch Captain, Lieutenant, or Juſtice of the Peace, a Certificate, ſetting forth the Reaſons for which he is refuſed, which Certificate may by produced by him, as an Exemption from being ſeized by a Warrant of Impreſs."

'I hope the Reaſonableneſs and Equity of this Clauſe is ſo inconteſtably apparent that it will find no Oppoſition; for what can be more cruel, unjuſt, or oppreſſive, than to puniſh Men for Neglect of a Law which they have endeavoured to obey. To what Purpoſe are Rewards offered, if they are denied to thoſe who come to claim them? What is it leſs than Theft, and Fraud, to force a Man into the Service who would willingly have entered, and ſubject him to Hardſhips without

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without the Recompence which he may juſtly demand from the ſolemn Promiſes of the Legiſlature.'

Sir Charles Wager.

SIR,

Sir Charles Wager.

'To this Clauſe, which the Gentleman has repreſented as ſo reaſonable and juſt, Objections may, in my Opinion, be eaſily made, of which he himſelf acknowledge the Force. The great Obſtruction of public Meaſures is Partiality, whether from Friendſhip, Bribery, or any other Motive; againſt Partiality alone the Clauſe which is now offered is levelled, and indeed it is ſo dangerous an Evil, that it cannot be obviated with too much Caution.

'But this Clauſe, inſtead of preventing private Correſpondence, and illegal Combinations, has an evident Tendency to produce them, by inciting Men to apply with pretended Offers of Service to thoſe who are before ſuborned to refuſe them, then make a Merit of their Readineſs, and demand a Certificate.

'By ſuch Artifices Multitudes may exempt themſelves from the Impreſs who may be known to be able Sailors, even by thoſe that conduct it, and may, under the Protection of a Certificate fallaciouſly obtained, laugh at all Endeavours to engage them in the public Service.'

Mr. Digby.

SIR,

Mr. Digby.

'If this Authority, lodged in the Hands of thoſe who are propoſed in the Clauſe to be entruſted with it, be in Danger of being executed without due Regard to the End for which it is granted, let it be placed where there is neither Temptation nor Opportunity to abuſe it. Let the Admiralty alone have the Power of granting ſuch Certificates, the Officers of which will be able to judge whether the Sailor is really unfit for the Service, and deliver thoſe whom Age or Accidents have diſabled from the Terror of Impreſſes; for ſurely, he that is fit to ſerve, when taken by Violence, is no leſs qualified when he enters voluntarily, and he who could not be admitted when he tendered himſelf, ought not to be dragged away, when perhaps he has contracted for another Voyage.'

Sir Charles Wager.

SIR,

Sir Charles Wager.

'It is, doubtleſs, more proper to place ſuch Authority in the Officers of the Admiralty, than in any other; but it does not appear that the Benefit which the Sailors may receive from it, to whatever Hands it is entruſted, will not be overbalanced by the Injury which the Public will probably ſuffer.

'Sailors

Anno 4, Geo. II. 740.

' Sailors are frequently levied in remote Parts of the ingdom; in Ports where the Admiralty cannot ſpeedily : informed of the Reaſons for which thoſe that may peti- on for Certificates have been refuſed, and therefore cannot ant them without Danger of being deceived by fraudulent ccounts.

' The Grievances for which the Remedy is propoſed annot frequently occur; for it is not probable that in a ime of naval Preparations any Man qualified for the Ser- ice ſhould be rejected, ſince the Officers gain nothing by heir Refuſal.'

Mr. Hay.

SIR,

Mr. Hay.

' It is very poſſible that thoſe Inſtances which may be roduced of Men, who have been impreſſed by one Officer, ter they have been rejected by another, may be only the onſequences of the high Value which every Man is ready ſet upon his own Abilities. For he that offers himſelf, doubt, demands the higheſt Præmium, tho' he be not an ble Sailor; and if rejected, and afterwards impreſſed as a ovice, thinks himſelf at Liberty to complain with the oſt importunate Vehemence, of Fraud, Partiality, and Op- eſſion.'

The Queſtion being put, was reſolved in the Negative, moſt unanimouſly.

Mr. Southwell

Then Mr. Southwell offered a Clauſe, importing, That Sailors, who ſhould take Advance-Money of the Merchants, uld be obliged to perform their Agreements, or be liable be taken up by any Magiſtrate or Juſtice of the Peace, d deemed Deſerters, except they were in his Majeſty's ips of War.

He was ſeconded by Lord Gage as follows:

SIR,

Lord Gage.

' As this Clauſe has no other Tendency than to promote : Intereſt of the Merchants, without obſtructing the pub- Preparations; as it tends only to confirm legal Con- racts, l facilitate that Commerce from whence the Wea th and wer of this Nation ariſes, I hope it will readily be admit- ; as we may, by adding this Sanction to the Contracts le between the Merchants and Sailors, in ſome Degree, nce the Obſtructions wherewith we have embarraſſed de by the other Clauſes.'

Sir

Anno 14, Geo. II. 1740.

Sir Charles Wager.

Sir Charles Wager.

SIR,

'This Clauſe is unqueſtionably reaſonable, but not neceſſary, for it is to be found already in an Act made for the Encouragement of the Merchants, which is ſtill in Force, and ought, whenever any ſuch Frauds are committed, to be rigorouſly obſerv'd.

Sir Robert Walpole then deſired that the Clerk might read the Act, in which the Clauſe being accordingly found, Mr. Southwell withdrew his Motion.

Then the Queſtion was put, Whether the Bill for the Encreaſe and Encouragement of Sailors do paſs, which was reſolved in the Affirmative, 153 againſt 79.

Agreed to the Report of the Weſtminſter-Bridge-Bill: Ordered it to be ingroſſed.

The 24th. In a grand Committee, went thro' the Bill to explain Part of an Act 12th of Q. Anne, for providing a public Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea, with ſeveral Amendments.

Read a Third Time, and paſſed the Bill for the better regulating the Manufacture of Cloth in the Weſt-Riding of Yorkſhire: Ordered it to the Lords.

Agreed to the Report of the Bill for better Preſervation of the Public Roads: Ordered it to be ingroſſed.

In a grand Committee, took into Conſideration the Petition from South-Carolina, in behalf of the diſtreſſed Inhabitants of Charles-Town, and came to Reſolution.

The 25th. Agreed to the Report of Yeſterday's Reſolution, viz. Reſolved, That the Province of South-Carolina has been greatly weakened by the late dreadful Fire on the 18th of November laſt; and that ſome Proviſion ſhould be made for the reſettling the Inhabitants thereof: Referred to the Committee on the Supply.

Agreed to the Report of the Bill for explaining an Act for Aſſurance of Ships, and Merchandizes at Sea, and for lending Money upon Bottomry: Ordered it to be ingroſſed.

In a Committee, went thro' the Bill for the Improvement of the Manufacture of Woollen Broad-Cloth, &c.

The 26th. Read a firſt Time, a Bill for the more eaſy and effectual Conviction of Perſons returning from Tranſportation.

Read a third Time, and paſſed the Bill for the better Preſervation of the public Roads in England: Ordered it to the Lords.

In

In a grand Committee, took into Conſideration the Bill for enlarging and regulating the Trade to the Levant-Seas; and alſo the ſeveral Papers and Accounts concerning the ſame: And a Motion was made, and the Queſtion being put, that Mr. Speaker do leave the Chair, it paſſed in the Negative, on a Diviſion, Ayes 37, Noes 62. Made a Progreſs, and to proceed on the 8th of April; then adjourned to the 9th of April. Anno 14, Geo. II. 1740.

April 2. Read a third time, and paſſed the Bill for ſurveying the chief Ports and Head-Lands on the Coaſt of Great-Britain and Ireland, and the Plantations belonging thereto, for the more exact Determination of the Longitude and Latitude thereof *. Ordered it to the Lords.

Adjourned the Report of the Bill for the Improvement of the Manufacture of Woolen Broad-Cloth, for a Month.

Read a third time, and paſſed the Bill for reſtraining and preventing ſeveral unwarrantable Schemes and Undertakings of the Plantations to America †. Ordered it to the Lords.

Read a ſecond time, the Bill for the more effectual Conviction of Perſons returning from Tranſportation

The 3d. Read a ſecond time, and committed the Bill to prevent Inconveniencies ariſing from Inſurances of Ships: On a Diviſion, Ayes 63, Noes 22.

The 6th. Read a third time, and paſſed the Bill to enable the Commiſſioners for building Weſtminſter-Bridge to raiſe a further Sum of Money by way of Lottery, towards finiſhing the ſaid Bridge, &c. Ordered it to the Lords. In a grand Committee, took into Conſideration the Bill to prevent ſome Inconveniencies ariſing from Inſurances of Ships: And read a Petition of the Corporation of the London-Aſſurance againſt the Bill. And a Motion was made, and the Queſtion put, That the further Conſideration thereof be deferred for a Month ‡.

The 7th Received an Eſtimate of the Charge of 1000 Daniſh Horſe, and 5000 Daniſh Foot in Britiſh Pay, from March the 28th laſt, to December the 25th, 1741.

* *This Bill was read a firſt time, on February the 5th, but the Title was altered on the third Reading.*

† *This Bill was read a firſt time, on February the 27th, but the Title was altered on the third Reading.*

‡ *The Houſe divided, Ayes 25, Noes 8; but ſeven more Members being wanted to make a Houſe, without which they could not proceed on Buſineſs, the Bill dropt of courſe, and the Houſe adjourned.*

Anno 14, Geo. II. 1740.

Alſo an Eſtimate of the Charge of 1264 Horſe, and 4903 Foot, Heſſian Troops, from March the 25th laſt, to December the 25th, 1741, with the Levy-Money and Subſidy for the ſame.

The 8th. Rejected a Petition of John Meres, Printer, praying to be admitted to Bail without paying his Fees.

Mr. Speaker reported, That the Houſe had attended his Majeſty in the Houſe of Peers, where his Majeſty was pleaſed to give the Royal Aſſent to,

Roval Aſſent given to ſeveral Bills.

An Act to ſupply ſome Defects in the Laws for repairing Conny-Bridges; for repairing and providing Houſes of Correction; and for paſſing Rogues and Vagabonds.

An Act to continue three former Acts for Relief of Debtors, with reſpect to the Impriſonment of their Perſons; and alſo to continue an Act for the free Importation of Cochineal and Indico.

An Act for continuing an Act 7th of King George II. to amend a former Act 11th of King George I. for the better regulating the Manufacture of Cloth in the Weſt-Riding of Yorkſhire. And to ſeven private Acts.

After which his Majeſty was pleaſed to make a moſt gracious Speech from the Throne as follows:

My Lords and Gentlemen,

King's Speech.

" At the Opening of this Seſſion, I took Notice to you of the Death of the late Emperor, and of my Reſolution to adhere to the Engagements I am under, in order to the maintaining of the Ballance of Power, and the Liberties of Europe, on that important Occaſion. The Aſſurances I received from you, in return to this Communication, were perfectly agreeable to the Zeal and Vigour, which this Parliament has always exerted, in the Support of the Honour and Intereſt of my Crown and Kingdoms, and of the Common Cauſe.

' The War, which has ſince broke out, and been carried on, in part of the Auſtrian Dominions, and the various and extenſive Claims, which are publicly made on the late Emperor's Succeſſion, are new Events, that require the utmoſt Care and Attention, as they may involve all Europe in a bloody War, and in Conſequence, expoſe the Dominions of ſuch Princes, as ſhall take Part in ſupport of the Pragmatic Sanction, to imminent and immediate Danger. The Queen of Hungary has already made a Requiſition of the 12,000 Men, expreſly ſtipulated by Treaty; and thereupon I have demanded of the King of Denmark, and of the King of Sweden, as Landgrave of Heſſe-Caſſel, their reſpective Bodies of Troops, conſiſting of 6000 Men each, to be in readineſs to march forthwith to the Aſſiſtance of her Hungaria

rian Majeſty. I am alſo concerting ſuch farther Meaſures as may obviate and diſappoint all dangerous Deſigns and Attempts, that may be forming and carried on in Favour of any unjuſt Pretenſions, to the Prejudice of the Houſe of Auſtria. In this complicated and uncertain State of Things, many Incidents may ariſe, during the Time, when, by Reaſon of the approaching Concluſion of this Parliament, it may be impoſſible for me to have your Advice and Aſſiſtance, which may make it neceſſary for me to enter into ſtill larger Expences, for maintaining the Pragmatic Sanction. In a Conjuncture ſo critical, I have thought it proper, to lay theſe important Conſiderations before you, and to deſire the Concurrence of my Parliament, in enabling me to contribute, in the moſt effectual Manner, to the Support of the Queen of Hungary, the preventing by all reaſonable Means the Subverſion of the Houſe of Auſtria, and the maintaining the Liberties and Balance of Power in Europe."

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Gentlemen of the Houſe of Commons,

"I muſt recommend it to you, to grant me ſuch a Supply as may be requiſite for theſe Ends; and the juſt Concern and Readineſs which I have conſtantly found in you, to make all neceſſary Proviſions for the Public Good, and our common Security, leave me no room to doubt of the ſame good Diſpoſition and Affection in this Inſtance."

My Lords and Gentlemen,

"I am perſuaded, I need ſay no more to recommend theſe Conſiderations to you, which ſo neceſſarily ariſe from the preſent Situation of Affairs: I ſhall therefore only add, That whatever Expences may be incurr'd on this Occaſion, ſhall be made in as frugal a Manner as poſſible; and an Account thereof ſhall be laid before the next Parliament."

Whereupon they reſolved, That an humble Addreſs be preſented to his Majeſty, as follows.

The Houſe on this Occaſion preſented the following Addreſs.

Moſt gracious Sovereign,

"We your Majeſty's moſt dutiful and loyal Subjects, the Commons of Great Britain in Parliament aſſembled, beg Leave to return your Majeſty our moſt humble Thanks for your Majeſty's moſt gracious Speech from the Throne; and to expreſs our dutiful Senſe of your Majeſty's juſt and due Regard for the Rights and Intereſt of the Queen of Hungary, and for maintaining the Pragmatic Sanction. We cannot but entirely concur with your Majeſty in the prudent Meaſures, which your Majeſty is purſuing for the Support of the

Addreſs in Return.

Anno 14, Geo II. 1740.

Common Cauſe, and for the Preſervation of the Liberties, and the Balance of Power in Europe. We acknowledge your Majeſty's Wiſdom and Reſolution, in not ſuffering yourſelf to be diverted from ſteadily perſevering in your juſt Purpoſes of fulfilling the Engagements, which your Majeſty has entered into with the Houſe of Auſtria; and do aſſure your Majeſty, that in Juſtice, and in Vindication of the Honour and Dignity of the Britiſh Crown, this Houſe will effectually ſtand by and ſupport your Majeſty againſt all Inſults and Attacks, which any Prince of Power, in Reſentment of the juſt Meaſures that your Majeſty has ſo wiſely taken, ſhall make upon any of your Majeſty's Territories or Dominions, tho' not belonging to the Crown of Great Britain. And we beg Leave further to aſſure your Majeſty, that in any future Events, which may ariſe from this uncertain State of Things, and which may make it neceſſary for your Majeſty to enter into ſtill larger Expences, your faithful Commons will enable your Majeſty to contribute, in the moſt effectual Manner, to the Support of the Queen of Hungary, to the preventing, by all reaſonable Means, the Subverſion of the Houſe of Auſtria, and to the maintaining the Pragmatic Sanction and the Liberties and Balance of Power in Europe.'

The 9th. Referred his Majeſty's Speech to the Committee on the Supply.

The 10th. The Houſe went to addreſs his Majeſty at his Palace at St. James's.

The 13th. Received the Report of his Majeſty's Anſwer to their Addreſs, viz. " I give you my Thanks for this dutiful and loyal Addreſs. Your great Readineſs in enabling me to make good my Engagements with the Queen of Hungary, and the Aſſurances you give me, not to ſuffer my foreign Dominions to be inſulted, on account of the Meaſures I am purſuing for the Support of the Pragmatic Sanction, are ſuch evident Proofs of your juſt Concern for maintaining the Liberties and Balance of Power in Europe, and of your great Regard for my Honour and Intereſt, that you may depend upon all ſuitable Returns from me, for this particular Mark of your Affection and Confidence in me."

The ſame Day a Motion was made by Sir Robert Walpole, for granted an Aid of 200,000l. to the Queen of Hungary, which he introduced with the following Debate:

SIR,

Sir Robert Walpole

' The Neceſſity of this Grant appears ſo plainly from the bare Mention of the Purpoſes for which it is aſked, that I can ſcarcely conceive that its Reaſonableneſs can be diſ-

puted

ſed. I can diſcover no Principles upon which an Objection to this Motion can be founded, nor the leaſt Arguments by which ſuch Objections can be ſupported.

'The indiſpenſable Obligations of public Faith, the great Ties by which Nations are united, and Confederacies formed, I cannot ſuppoſe any Man inclined to invalidate. An exact Performance of national Promiſes, an inviolable Adherence to Facts and Treaties, is enforced at once by Policy and Juſtice, and all Laws both of Heaven and Earth.

'Public Perfidy, Sir, like private Diſhoneſty, whatever temporary Advantages it may promiſe or produce, is always, upon the whole, the Parent of Miſery. Every Man, however proſperous, muſt ſometimes wiſh for a Friend; and every Nation, however potent, ſtand in need of an Ally; but all Alliances ſubſiſt upon mutual Confidence, and Confidence can be produced only by untainted Integrity, by known Firmneſs, and approved Veracity.

'The Uſe of Alliances, Sir, has in the laſt Age been too much experienced to be conteſted; it is by Leagues well concerted, and ſtrictly obſerved, that the Weak are defended againſt the Strong, that Bounds are ſet to the Turbulence of Ambition, that the Torrent of Power is reſtrained, and Empires preſerved from thoſe Inundations of War that, in former Times, laid the World in Ruins. By Alliances, Sir, the Equipoiſe of Power is maintained, and thoſe Alarms and Apprehenſions avoided, which muſt ariſe from Viciſſitudes of Empire, and the Fluctuations of perpetual Conteſt.

'That it is the Intereſt of this Nation to cultivate the Friendſhip of the Houſe of Auſtria, to protect its Rights, and ſecure its Succeſſion; to inform it when miſtaken, and to aſſiſt it when attacked, is allowed by every Party. Every Man, Sir, knows that the only Power that can ſenſibly injure us by obſtructing our Commerce, or invading our Dominions, is France, againſt which no Confederacy can be formed, except with the Houſe of Auſtria, that can afford us any efficacious Support.

'The firmeſt Bond of Alliances is mutual Intereſt. Men eaſily unite againſt him whom they have all Reaſon to fear and to hate, by whom they have been greatly injured, and by whom they ſuſpect that no Opportunity will be loſt of renewing his Encroachments. Such is the State of this Nation and of the Auſtrians. We are equally endangered by the French Greatneſs, and equally animated againſt it by hereditary Animoſities, and Conteſts continued from one Age to another; we are convinced that, however either may be flattered or careſſed, while the other is invaded, every

Blow

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Blow is aimed at both, and that we are divided only that [illegible] may be more eaſily deſtroyed.

'For this Reaſon we engaged in the Support of the Pra[illegible]matic Sanction, and ſtipulated to ſecure the Imperial Cro[illegible] to the Daughters of Auſtria, which was nothing more th[illegible] to promiſe, that we would endeavour to prevent our [illegible] Deſtruction, by oppoſing the Exaltation of a Prince w[illegible] ſhould owe his Dignity to the French, and in Conſeque[illegible] of ſo cloſe an Alliance ſecond all their Schemes, admit [illegible] their Claims, and ſacrifice to their Ambition the Happine[illegible] of a great Part of Mankind.

'Such would probably be the Conſequence, if the Fren[illegible] ſhould gain the Power of conferring the Imperial Crow[illegible] They would hold the Emperor in perpetual Dependence [illegible] would, perhaps, take Poſſeſſion of his Hereditary Domin[illegible]ons as a Mortgage for their Expence, would awe him with the Troops which they ſent under a Pretence of aſſiſting him, and leave him only the Title of Dominion, and the Shadow of Empire.

'In this State would he remain, whilſt his formidable Allies were extending their Dominions on every Side. He would ſee one Power ſubdued after another, and himſelf weakened by Degrees, and only not deprived of his Throne, becauſe it would be unneceſſary to dethrone him; or he would be obliged to ſollicit our Aſſiſtance to break from his Slavery, and we ſhould be obliged, at the utmoſt Hazard, and at an Expence not to be calculated, to remedy what it is, perhaps, now in our Power to prevent with very little Difficulty.

'That this Danger is too near to be merely chimerical, that the Queen of Hungary is invaded, and her Pretenſion to the Imperial Dignity conteſted, is well known; it is therefore the Time for fulfilling our Engagements, Engagements of the utmoſt Importance to ourſelves and our Poſterity; and I hope the Government will not be accuſed of Profuſion, if for three hundred thouſand Pounds the Liberties of Europe ſhall be preſerved.

'We cannot deny this Grant without acting in Oppoſition to our late Profeſſions of ſupporting his Majeſty in his Endeavours to maintain the Pragmatic Sanction, and of aſſiſting him to defend his foreign Dominions from any Injuries to which thoſe Endeavours ſhould expoſe them, for how can he without Forces defend his Dominions, or aſſiſt his Ally? or how can he maintain Forces without Supplies?'

Mr.

Mr. Shippen.

SIR,

'As I have always endeavoured to act upon Conviction of my Duty, to examine Opinions before I admit them, and to ſpeak what I have thought the Truth, I do not eaſily change my Conduct or retract my Aſſertions, nor am I deterred from repeating my Arguments when I have a right to ſpeak, by the Remembrance that they have formerly been unſucceſsful. Mr. Shippen.

'Every Man when he is confident himſelf, conceives himſelf able to perſuade others, and imagines that their Obſtinacy proceeds from other Motives than Reaſon; and that, if he fails at one time to gain over his Audience, he may ſucceed in ſome happier Moment, when their Prejudices ſhall be diſſipated, or their Intereſt varied,

'For this Reaſon though it cannot be ſuſpected that I have forgotten the Reſentment which I have formerly drawn upon myſelf, by an open Declaration of my Sentiments, with regard to Hanover,* I ſtand up again, with equal Confidence, to make my Proteſtations againſt any Interpoſition in the Affairs of that Country, and to avow my Diſlike of the Promiſe lately made to defend it. A Promiſe, inconſiſtent, in my Opinion, with that important and inviolable Law, the Act of Settlement! A Promiſe, which, if it could have been foreknown, would perhaps have for ever precluded from the Succeſſion that illuſtrious Family, to which we owe ſuch numberleſs Bleſſings, ſuch continued Felicity!

'Far be it from me to inſinuate that we can be too grateful to his Majeſty, or too zealous in our Adherence to him; only let us remember that true Gratitude conſiſts in real Benefits, in promoting the true Intereſt of him to whom we are indebted; and ſurely, by hazarding the Welfare of Great Britain in Defence of Hanover, we ſhall very little conſult the Advantage or promote the Greatneſs of our King.

'It is well known how inconſiderable in the Sight of thoſe, by whom the Succeſſion was eſtabliſh'd, Hanover appeared, in compariſon with Great Britain. Thoſe Men, to whom even their Enemies have ſeldom denied Praiſe for Knowledge and Capacity, and who have been ſo loudly celebrated by many, who have join'd in the laſt Addreſs, for their honeſt Zeal, and the Love of their Country, enacted, that

* *Alluding to his being ſent to the Tower in the Reign of* George *I.*

Anno 14, Geo II. 1740.

that the King of Great Britain ſhould never vi
portant Territories, which we have ſo ſolemnly
defend, at the Hazard of our Happineſs. It w
their Deſign that our Sovereign engroſs'd, by th
new Subjects, a Care, which, as they reaſonabl
would ariſe from Gratitude for Dignity and Po
rally conferr'd, ſhould in time forget that Co
Earth, on which his Anceſtors had reſided, an
Elector of Hanover, but as King of Great Br
Governor of a mighty Nation, and the Lord o
minions.

'It was expreſly determined, that this N
never be involved in War for the Defence of th
on the Continent; and doubtleſs the ſame Polity
ſtrain'd us from extending our Conqueſts in Cou
which ſome Advantages might be receiv'd, oug
all expenſive and hazardous Meaſures, for the ta
tories from whence no Benefit can be reaped.

'Nor are the Purpoſes, Sir, for which thi
demanded, the only Objections that may be urg
for the Manner in which it is asked, makes it
leaſt to delay it. The Miniſters have been ſo littl
to Refuſals that they have forgot when to aſk wi
and expect the Treaſure of the Nation to be
them, whenever they ſhall think it proper to hi
have diſcover'd ſome new Opportunity of Expen

'It is neceſſary that when a Supply is deſired
ſhould be inform'd, ſome time before, of the
requir'd, and of the Ends to which it is to be a
every Member may conſider, at leiſure, the Ex
the Meaſures propoſed, and the Proportion of th
Occaſion on which it is demanded; that he m
what are the moſt proper Methods of raiſing it,
enquire with what Willingneſs his Conſtituents
it.

'Whether any Man is enabled by his Acute
perience, to determine all theſe Queſtions upo
neous Reflection, I cannot decide. For my Pa
myſelf one of thoſe, on whom Nature has beſto
Faculties, and therefore move that the Conſider
Supply may be deferr'd for a few Days. For
preſs'd upon us, I ſhall vote againſt it, becauſe
fully diſcover all the Reaſons for it, nor all the C
which it may produce, and I think myſelf obli
for what purpoſe I give away the Money whi
own.'

Mr. Viner.

Sir,

Mr. Viner.

'Whatever may be the Neceſſity of maintaining the Pragmatic Sanction, or whatever the Obligations of Natural Facts, of which I hope no Man is deſirous of encouraging the Neglect, yet they can never oblige us to arm without an Enemy, to embarraſs ourſelves with watching every Poſſibility of Danger, to garriſon Dominions which are not invaded.

'The Expediency of maintaining the Houſe of Auſtria on the Imperial Throne, it is not at preſent neceſſary to aſſert, becauſe it does not appear that any other Family is aſpiring to it. There may indeed be Whiſpers of ſecret Deſigns and artful Machinations, Whiſpers, perhaps, ſpread only to affright the Court into Treaties, or the Parliament into Grants; or Deſigns, which, like a Thouſand others that every Day produces, innumerable Accidents may defeat: which may be diſcovered, not only before they are executed, but before they are fully formed; and which therefore are not worthy to engroſs much of our Attention, or exhauſt the Wealth of the People.

'The Pragmatic Sanction is nothing more than a Settlement of the Imperial Dignity upon the eldeſt Daughter of the late Emperor and her Son; and if ſhe has no Son, upon the Son of the ſecond Daughter; nor has the Crown of Great Britain, by engaging to ſupport that Sanction, promiſed any thing more than to preſerve this Order of Succeſſion, which no Power at preſent is endeavouring to interrupt, and which therefore at preſent requires no Defence.

'The Diſpute, Sir, between the King of Pruſſia and the Queen of Hungary is of a different kind, nor is it our Duty to engage in it, either as Parties or Judges. He lays claim to certain Territories uſurped, as he alleges, from his Anceſtors by the Auſtrian Family, and aſſerts, by Force, this Claim which is equally valid, whether the Queen be Empreſs or not. We have no Right to limit his Dominions, or Obligation to examine the Juſtice of his Demands. If he is only endeavouring to gain what has been forcibly with held from him, what Right have we to obſtruct his Undertaking? And if the Queen can ſhew a better Title, ſhe is, like all other Sovereigns, at liberty to maintain it; nor are we neceſſarily to erect ourſelves into Judges between Sovereigns, or Diſtributors of Dominion.

'The Conteſt ſeems to have very little Relation to the Pragmatic Sanction; if the King of Pruſſia ſucceeds, he will con-

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contribute to ſupport it; and if the Queen is abl ſtrate his Deſigns, ſhe will be too powerful to Aſſiſtance.

'But tho', Sir, the Pragmatic Sanction were in of Violation, are we to ſtand up alone in defence of other Nations, equally engaged with ourſelves by and by Treaties, ſit ſtill to look upon the Conteſt, a thoſe Advantages of Peace which we indiſcreet away? Are we able to maintain it without Aſſiſtan we to exhauſt our Country, and ruin our Poſterity ſecution of a hopeleſs Project, to ſpend what can repaid, and to fight with Certainty of a Defeat?

'The Dutch, whoſe Engagements and whoſe In the ſame as our own, have not yet made any Ad their Expences, nor Augmentation of their Tre does a ſingle Potentate of Europe, however united Alliances to the Houſe of Auſtria, or however enda Revolutions in the Empire, appear to rouſe at the of Alarm, or think himſelf obliged to provoke En whom he is not yet injured.

'I cannot therefore perſwade myſelf that we are up ſingle in the Defence of the Pragmatic Sanction, the Quarrel of others, or live in perpetual War, Neighbours may be at Peace.

'I ſhall always think it my Duty to diſburſe t Money with the utmoſt Parſimony, nor ever intend the moſt preſſing Neceſſity, to load, with new Exa Nation already overwhelmed with Debts, harra Taxes, and plunder'd by a Standing Army.

'For what Purpoſe theſe numerous Forces are ma who are now preying on the Public; why we incr Armies by Land when we only fight by Sea; why w vate the Burthen of the War, and add domeſtic Op to foreign Injuries, I am at loſs to determine. Sur Regard ſhould be had to the Satisfaction of the Peo ought not, during the preſent Scarcity of Proviſion ſtarved by the Increaſe of an Army, which ſeems i only to conſume them.

'As therefore part of our preſent Expence is in nion unneceſſary, I ſhall not contribute to aggrav a new Grant, for Purpoſes of which I cannot diſco they will promote the Advantage of the Public.'

Sir Robert Walpole.

SIR,

Sir Robert Walpole.

'The Pragmatic Sanction, which we are engage port, is not confined to the Preſervation of the Orde

but extends to all the Rights of the House of Austria, Anno 1.(
is now attacked, and by a very formidable Enemy, H. 174(
ime of Weakneſs and Diſtraction, and therefore re-
our Aſſiſtance.

That others equally obliged by Treaty and by Intereſt
nd their Help on this Occaſion, ſit unactive, either
ugh Cowardice or Negligence, or ſome Proſpect of
porary Advantage, may, perhaps, be true; but is it
Excuſe of a Crime, that he who commits it is not the
y Criminal? Will the Breach of Faith in other excuſe
in us? Ought we not rather to animate them by our Activ-
ity, inſtruct them by our Example, and awaken them by
ur Repreſentations?

'Perhaps the other Powers ſay to themſelves, and to one
nother, Why ſhould we keep that Treaty which Great
Britain is violating? Why ſhould we expoſe ourſelves to
Danger, of which that mighty Nation, ſo celebrated for
Courage, is afraid? Why ſhould we rush into War, in which
our moſt powerful Ally ſeems unwilling to ſupport us?

'Thus the ſame Argument, an Argument evidently falſe,
nd made ſpecious only by Intereſt, may be uſed by all, till
ſome one, more bold and honeſt than the reſt, ſhall dare
to riſe in Vindication of thoſe Rights which all have pro-
miſed to maintain. And why ſhould not the greateſt Nation
be the firſt that ſhall avow her ſolemn Engagements? Why
ſhould not they be moſt diligent in the Proſecution of an
Affair who have moſt to fear by its Miſcarriage?

'I am always willing to believe, that no Member of
this Houſe makes Uſe in any ſolemn Debate of Arguments,
which do not appear rational to himſelf; and yet it is diffi-
cult to conceive that any Man can imagine himſelf releaſed
from a Promiſe, becauſe the ſame Promiſe is broken by
another; or that he is at Liberty to deſert his Friend in
Diſtreſs, becauſe others deſert him, when good Offices
he has equal Reaſon to expect, and that the more his Aſſiſ-
ance is needed, the more Right he has to claim it.

'Surely ſuch Arguments as theſe deſerve not, need not a
Confutation. Before we regulate our Conduct by that of
others, we muſt either prove that they have done right,
which Proof will be a ſufficient Defence when the Prece-
dent, or own that they are more capable of Injuſtice than we,
and that therefore we pay an implicit Submiſſion to their
Dictates and Example; a Sacrifice which we ſhall not wil-
lingly make to the Vanity of our Neighbours.

'In the preſent Caſe it is evident, that if other Nations
neglect the Performance of their Contract, they are guilty
of the Breach of public Faith; of a Crime, that it ſhould

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generally be imitated, would diſſolve Society, and throw human Nature into Confuſion, that would change the moſt happy Region into Deſarts, in which one Savage would be preying on another.

'Nor are they only propagating an Example, which in ſome diſtant Times may be pleaded againſt themſelves, but they are expoſing themſelves to more immediate Dangers; they are forwarding Deſigns that have no Tendency but to their Ruin; they are adding Strength to their inveterate Enemies, and beckoning Invaſion to their own Frontiers.

'Let us therefore, inſtead of hardening ourſelves in Perfidy, or lulling ourſelves in Security by their Example, exert all our Influence to unite them, and all our Power to aſſiſt them. Let us ſhew them what they ought to determine by our Reſolutions, and teach them to act by our Vigour; that if the Houſe of Auſtria be preſerved, our Alliance may be ſtrengthened by new Motives of Gratitude; and that, if it muſt be that the Liberties of this Part of the World be loſt, we may not reproach ourſelves with having neglected to defend them.'

Mr. Henry Pelham.

SIR,

Mr. Henry Pelham.

'It is not to be ſuppoſed that ſuch Members of this Houſe as are not engaged in public Affairs, ſhould receive very exact Intelligence of the Diſpoſitions of foreign Powers, and therefore I do not wonder that the Conduct of the Dutch has been miſrepreſented, and that they are ſuſpected of neglecting their Engagements at a Time when they are endeavouring to perform them.

'The Dutch have now under Conſideration the moſt proper Methods of aſſiſting the Queen of Hungary, and maintaining the Pragmatic Sanction; it may be indeed juſtly ſuſpected from the Nature of their Conſtitution, that their Motions will be ſlow, but it cannot be aſſerted, that they break their Engagements, or deſert their Confederates.

'Nor is there any Reaſon for imagining that the other Princes who have incurred the ſame Obligations, will not endeavour to perform their Promiſes; it may be eaſily conceived that ſome of them are not able, at a ſudden Summons, to afford great Aſſiſtance, and that others may wait the Reſult of our Deliberations, and regulate their Conduct by our Example.

'Not that we ought to neglect our Engagements, or endanger our Country, becauſe other Powers are either perfidious or inſenſible; for I am not afraid to declare, that if that ſhould happen, which there is no Reaſon to ſuſpect, if all

all the other Powers ſhould deſert the Defence of the Au- Anno 14. Geo
ſtrian Line, ſhould conſent to annul the Pragmatic Sanction, II. 1741
and leave the Queen of Hungary to the Mercy of her Ene
mies, I would adviſe that Great Britain alone ſhould pour
her Armies into the Continent, that ſhe ſhould defend her
Ally againſt the moſt formidable Confederacy, and ſhew
Mankind an Example of Conſtancy not to be ſhaken, and
of Faith not to be violated.

'If it be therefore our Duty to ſupport the Pragmatic Sanction, it is now the Time for declaring our Reſolutions, when the Imperial Crown is claimed by a Multitude of Competitors, among whom the Elector of Bavaria, a very powerful Prince, has, by his Miniſter, notified his Pretenſions to the Court of Great Britain.

'The antient Alliance between this Prince and the French is well known; nor can we doubt that he will not now implore their Aſſiſtance for the Attainment of the Throne to which he aſpires; and I need not ſay what may be expected from an Emperor whoſe Elevation was procured by the Forces of France.

'Nor is this the only Prince that claims the Imperial Crown upon plauſible Pretences, or whoſe Claims other Powers may combine to ſupport; it is well known that even the Spaniſh Monarch believes himſelf entitled to it, nor can we, who have no Communication with him, know whether he has not declared, to all the other Princes of Europe, his Reſolution to aſſert his Claim.

'It is far from being impoſſible that the Pretenſions of the Houſe of Bourbon may be revived, and that tho' no ſingle Prince of that Family ſhould attempt to mount the Imperial Throne, they may all conſpire to diſmember the Empire into petty Kingdoms, and free themſelves from the Dread of a formidable Neighbour, by erecting a Number of diminutive Sovereigns, who may be always courting the Aſſiſtance of their Protectors, for the ſake of harraſſing each other.

'Thus will the Houſe, by which Europe has been hitherto protected, ſink into an empty Name, and we ſhall be left to ſtand alone againſt all the Powers that profeſs a different Religion, and whoſe Intereſt is oppoſite to that of Great Britain.

'We ought, indeed, to act with the utmoſt Vigour, when we ſee one of the moſt powerful of the reformed Princes, ſo far forgetful of the Intereſt of our Religion, as to co-operate with the Deſigns of France, and ſo intent upon improving the Opportunity of diſtreſſing the Houſe of Auſtria, as to neglect the common Cauſe, and expoſe himſelf or his Poſſe-

ſions

Courſe of that Flood of Power, which is now in
Fluctuation, or ſeems driven to different Points b
Impulſes? How ſoon may the Dutch ſee their
tacked, and call upon us for the 10,000 Men wh
obliged to ſend them? How ſoon may the Houſe
be ſo diſtreſſed as to require all our Power for its
tion?

'That we are to leave nothing unattempted for
rity of our own Religion and Liberty, will eaſily b
and, therefore, unleſs it can be proved that we may
ſecure, tho' the Houſe of Auſtria be ruined, it wi
rily follow, that we are, with all our Power, to e
Obſervation of the Pragmatic Sanction.

'This is not an Act of romantic Generoſity, b
the cloſeſt Attention to our own Intereſt ſhews to
ſary; in defending the Queen of Hungary we d
ſelves, and only extinguiſh that Flame, by which
ſuffered to ſpread, we ſhall ourſelves be conſum
Empire may be conſidered as the Bulwark of Gre
which, if it be thrown down, leaves us naked an
leſs.

'Let us therefore conſider our own Danger, an
ber, that while we are conſidering this Supply, w
berating upon nothing leſs than the Fate of our Co

Mr. Pulteney,

SIR,

ion and that of the Auſtrian Family are united, and how h either muſt be endangered by the Ruin of the other, therefore, I ſhall not delay, for a ſingle Moment, my ſent to any Meaſures that may re-eſtabliſh our Intereſt he Continent, and reſcue Germany once more from the s of France. Anno 14, Geo II. 1740.

I am afraid that we have loſt part of our Influence in the ghbouring Countries, and that the Name of Great Britain s formidable than heretofore: but if Reputation is loſt, time to recover it, and I doubt not but it may be reco- ed by the ſame Means as it was at firſt obtained. Our mies may be yet equally deſtructive and our Money equally ſwaſive.

We have not yet ſuffer'd, amidſt all our Miſconduct, our al Force to be diminiſhed; our Sailors yet retain their an- it Courage, and our Fleets are ſufficient to keep their Do- ion of the Ocean, and preſcribe Limits to the Commerce every Nation. While this Power remains unimpaired, le Great Britain retains her natural Superiority, and aſſerts Honour of her Flag in every Climate, we cannot become icable, nor can any Nation ridicule our Menaces or ſcorn Alliance. We may ſtill extend our Influence to the In- l Countries, and awe thoſe Nations which we cannot in- e.

o preſerve this Power, let us watch over the Diſpoſal of Money; Money is the Source of Dominion; thoſe Na- s may be formidable for their Affluence which are not ſiderable for their Numbers; and by a negligent Profu- of their Wealth, the moſt powerful People may languiſh Imbecility, and ſink into Contempt.

If the Grant which is now demanded will be ſufficient to luce the Ends to which it is propoſed to be applied, if re aſſured of the proper Application of it, I ſhall agree t without Heſitation. But though it cannot be affirmed the Sum now demanded is too nigh a Price for the Li- es of Europe, it is at leaſt more than ought to be ſquan- d without Effect, and we ought at leaſt to know before grant it what Advantages may be expected from it.

May not the Sum demanded for the Support of the Queen lungary be employed to promote very different Intereſts? y it not be laviſhed to ſupport that Power to which our ts have too long contributed, that Power by which our- s have been awed, and the Adminiſtration has tyrannized out Controul?

If this Sum is really intended to ſupport the Queen of gary, may we not enquire how it is to be employed er Service? Is it to be ſent her for the Payment of her Armies,

Re-eſtabliſhment of the Houſe of Auſtria, as a Re
with this mighty Prince, and that to bring it to
be the moſt effectual Method of ſerving the
Queen that requires our Aſſiſtance.

'Why we ſhould deſpair, Sir, of ſuch a Re
I cannot perceive; a Reconciliation equally cond
real Intereſt of both Parties. It may be proved
little Difficulty, to the King of Pruſſia, that he
ing thoſe with whom Intereſts incompatible, an
Irreconcilable, have ſet him at Variance, whom h
ſee proſperous but by a Diminution of his own Gr
who will always project his Ruin while they a
the Advantages of his Victories. We may eaſi
him, that their Power will ſoon become, by hi
ſuch as he cannot hope to withſtand; and ſhew fr
amples of other Princes, how dangerous it is to
Strength of an ambitious Neighbour. We may
how much the Fate of the Empire is now in his
how much more glorious and more advantageous i
preſerve it from Ruin, than to contribute to its D

'If, by ſuch Arguments, Sir, this potent Mon
induced to act ſteadily in Defence of the commo
may once more ſtand at the Head of a Proteſtan
racy, that may contract the Views and repreſs th
of the Houſe of Bourbon, and alter their Scheme
ſal Monarchy into Expedients for the Defence o
minions.

'But in tranſacting theſe Affairs, let us not

divert their Attention from other Queſtions, how many Opportunities have been loſt, and how often might we have ſecured by War, what was, at a much greater Expence, loſt by Treaties? Anno 11.

'Treaties, Sir, are the Artillery of our Enemies, to which we have nothing to oppoſe; they are Weapons of which we know not the Uſe, and which we can only eſcape by not coming within their Reach. I know not by what Fatality it is, that to treat and to be cheated, are, with regard to Britain, Words of the ſame Signification; nor do I intend, by this Obſervation, to aſperſe the Characters of particular Perſons; for Treaties, by whomſoever carried on, have ended always with the ſame Succeſs.

'It is Time, therefore, to know, at length, our Weakneſs and our Strength, and to reſolve no longer to put ourſelves voluntarily into the Power of our Enemies: Our Troops have always been our ableſt Negotiators, and to them it has been, for the moſt Part, neceſſary at laſt to refer our Cauſe.

'Let us then always preſerve our martial Character, and neglect the Praiſe of political Cunning; a Quality which, I believe, we ſhall never attain, and which, if we could obtain, would add nothing to our Honour. Let it be the Practice of Britons to declare their Reſolutions without Reſerve, and adhere to them in Oppoſition to Dangers; let them be ambitious of no other Elogies than thoſe which may be gained by Honeſty and Courage, nor will they then ever find their Allies diffident, or their Enemies contemptuous.

'By recovering and aſſerting this Character we may become once more the Arbiters of Europe, and be courted by all the Proteſtant Powers as their Protectors; we may once more ſubdue the Ambition of the aſpiring French, and once more deliver the Houſe of Auſtria from the inceſſant Purſuit of thoſe reſtleſs Enemies.

'The Defence of that illuſtrious Family, Sir, has always appeared to me, ſince I ſtudied the State of Europe, the unvariable Intereſt of the Britiſh Nation, and our Obligations to ſupport it, on this particular Occaſion, have already been ſufficiently explained.

'Whence it proceeds, Sir, that thoſe who now ſo zealouſly eſpouſe the Auſtrian Intereſt, have been ſo plainly forgetful of it on other Occaſions, I cannot determine. That Treaties have been made very little to the Advantage of that Family, and that its Enemies have been ſuffered to inſult it without Oppoſition, is well known, nor was it long ago that it was debated in this Houſe, whether any Money ſhould be ſent to the late Emperor.

'No public or private Character can be ſupported, no

Anno 14, Geo. II 1740

Enemy, Sir, can be intimidated, nor any Friend confirmed in his Adherence, but by a ſteady and conſiſtent Conduct, by propoſing in all our Actions ſuch Ends as may be openly avowed, and by purſuing them without Regard to temporary Inconveniencies, or petty Obſtacles.

'Such Conduct, Sir, I would gladly recommend on the preſent Occaſion, on which I ſhould be far from adviſing a faint, an irreſolute, or momentary Aſſiſtance, ſuch Supplies as declare Diffidence in our own Strength, or a mean Inclination to pleaſe contrary Parties at the ſame time, to perform our Engagements with the Queen, and continue our Friendſhip with France. It is, in my Opinion, proper to eſpouſe our Ally with the Spirit of a Nation that expects her Deciſions to be ratified, that holds the Balance of the World in her Hand, and can beſtow Conqueſt and Empire at her Pleaſure.

'Yet, Sir, it cannot be denied that many powerful Reaſons may be brought againſt any new Occaſion of Expence; nor is it without Horror and Aſtoniſhment that any Man, converſant in political Calculations, can conſider the enormous Profuſion of the national Treaſure. In the late dreadful Confuſion of the World, when the Ambition of France had ſet half the Nations of the Earth on Flame, when we ſent our Armies to the Continent, and fought the general Quarrel of Mankind, we paid during the Reigns of King William, and his great Succeſſor, Reigns of which every Summer was diſtinguiſhed by ſome important Action, but four Millions Yearly.

'But our Preparations for the preſent War, in which ſcarcely a ſingle Ship of War has been taken, or a ſingle Fortreſs laid in Ruins, have brought upon the Nation an Expence of five Millions. So much more are we now obliged to pay to amuſe the weakeſt, than formerly to ſubdue the moſt powerful of our Enemies.

'Frugality, which is always prudent, is, at this Time, Sir, indiſpenſable, when War, dreadful as it is, may be termed the lighteſt of our Calamities, when the Seaſons have diſappointed us of Bread, and an univerſal Scarcity afflicts the Nation. Every Day brings us Accounts from different Parts of the Country, and every Account is a new Evidence of the general Calamity, of the Want of Employment for the Poor, and its neceſſary Conſequence, the Want of Food.

'He that is ſcarce able to preſerve himſelf, cannot be expected to aſſiſt others; nor is that Money to be granted to foreign Powers, which is wanted for the Support of our Fellow-Subjects, who are now languiſhing with Diſeaſes, which unaccuſtomed Hardſhips, and unwholſome Proviſions have brought

brought upon them, while we are providing againſt diſtant Dangers, and bewailing the Diſtreſſes of the Houſe of Auſtria. Anno 14, Geo. II. 1740.

'Let us not add to the Miſeries of Famine the Mortifications of Inſult and Neglect; let our Countrymen, at leaſt, divide our Care with our Allies; and, while we form Schemes for ſuccouring the Queen of Hungary, let us endeavour to alleviate nearer Diſtreſſes, and prevent or pacify domeſtic Diſcontents.

'If there be any Man whom the Sight of Miſery cannot move to Compaſſion, who can hear the Complaints of Want without Sympathy, and ſee the general Calamity of his Country without employing one Hour on Schemes for its Relief: Let not that Man dare to boaſt of Integrity, Fidelity or Honour; let him not preſume to recommend the Preſervation of our Faith, or Adherence to our Confederates; that Wretch can have no real Regard to any moral Obligation, who has forgotten thoſe firſt Duties which Nature impreſſes; nor can he that neglects the Happineſs of his Country, recommend any good Action for a good Reaſon.

'It ſhould be conſidered, Sir, that we can only be uſeful to our Allies, and formidable to our Enemies, by being unanimous and mutually confident of the good Intentions of each other, and that nothing but a ſteady Attention to the public Welfare, a conſtant Readineſs to remove Grievances, and an apparent Unwillingneſs to impoſe new Burthens, can produce that Unanimity.

'As the Clauſe is therefore neceſſarily to precede the Effect; as foreign Influence is the Conſequence of Happineſs at Home, let us endeavour to eſtabliſh that Alacrity and Security that may animate the People to aſſert their antient Superiority to other Nations, and reſtore that Plenty which may raiſe them above any Temptation to repine at Aſſiſtance given to our Allies.

'No Man, Sir, can very ſollicitouſly watch over the Welfare of his Neighbour, whoſe Mind is depreſſed by Poverty, or diſtracted by Terror, and when the Nation ſhall ſee us anxious for the Preſervation of the Queen of Hungary, and unconcerned about the Wants of our Fellow-Subjects; what can be imagined, but that we have ſome Method of exempting ourſelves from the common Diſtreſs, and that we regard not the public Miſery when we do not feel it?'

Sir Robert Walpole.

SIR,

'It is always proper for every Man to lay down ſome Principles upon which he propoſes to act, whether in public Sir Rober Walpole.

ply, expatiates upon the Danger that may be prod
retarding it, declares againſt the leaſt Delay, howev
ouſly propoſed, and inforces the Arguments which h
already offered to ſhew how much it is our Duty anc
to allow it: may it not reaſonably be imagined tha
tends to promote it, and is endeavouring to convince
that Neceſſity of which he ſeems himſelf convince

'But when the ſame Man proceeds to diſplay, w
Eloquence, the preſent Calamities of the Nation, a
to how much better Purpoſes the Sum, thus demand
be applied; when he dwells upon the Poſſibility tha
politic Uſe may be made of the national Treaſ
hints, that it may be aſked for one Purpoſe and em
another, what can be collected from his Harangue,
elegant, entertaining and pathetic? How can his
nion be diſcovered? Or how ſhall we fix ſuch fug
ſonings, ſuch variable Rhetoric?

'I am not able, Sir, to diſcern, why Truth ſhou
ſecur'd; or why any Man ſhould take Pleaſure in he
gether all the Arguments that his Knowledge may f
his Imagination ſuggeſt, againſt a Propoſition which
not deny. Nor can I aſſign any good Purpoſe tha
promoted by perpetual Renewals of Debate, and by
tition of Objections, which have in former Confer
the ſame Occaſion, been found of little Force.

'When the Syſtem of Affairs is not fully laid o
the Schemes are in part unknown, it is eaſy to raiſe C

ons on this ſide of the Globe; many of which ſuffer more, Anno 14, Geo. II. 1740.
at none leſs than ourſelves.

'If at ſuch a Time, it is more burthenſome to the Nation to raiſe Supplies, it muſt be remembered, that it is in Proportion difficult to other Nations to oppoſe thoſe Meaſures for which the Supplies are granted; and that the ſame Sum is of greater Efficacy in Times of Scarcity than of Plenty.

'Our preſent Diſtreſs will, I hope, ſoon be at End; and perhaps a few Days may produce at leaſt ſome Alteration. It is not without Reaſon, that I expect the News of ſome ſucceſsful Attempts in America, which will convince the Nation, that the Preparations for War have not been idle Shews contrived to produce unneceſſary Expences.

'In the mean time, it is neceſſary that we ſupport that Power which may be able to aſſiſt us againſt France, the only Nation from which any Danger can threaten us, even though our Fleet in America ſhould be unſucceſsful.

'If we defeat the Spaniards, we may aſſiſt the Houſe of Auſtria without Difficulty, and if we fail in our Attempts, their Alliance will be more neceſſary. The Sum demanded for this important Purpoſe, cannot be cenſured as exorbitant, but will, I hope, be ſufficient: If more ſhould hereafter appear neceſſary, I doubt not but it will be granted.'

The Queſtion then paſſed without farther Oppoſition,

The 14th. Received the Report of Yeſterday's Reſolution Votes on the Supply.
on the Supply, viz. Reſolved, That 300,000 *l.* be granted
his Majeſty to enable him effectually to ſupport the Queen of Hungary, and to prevent the Subverſion of the Houſe of Auſtria, &c.

That 75,952 l. 7 *s.* 4 *d.* ¼ be granted for defraying the Charge of 6000 Heſſians, from the 25th March to the 25th of December, 1741; as alſo 30,205 *l.* 14 *s.* 7 *d.* for Levy Money remaining unpaid for.

That 49,608 *l.* 6 *s.* 1 *d.* be granted for what remains payable of the Subſidy for the ſaid 6000 Heſſians.

That 69,841 *l.* 5 *s.* 4 *d.* ½ be granted for defraying the Charge of 6000 Danes, from the 25th of March to the 25th of December, 1741; as alſo 25,875 *l.* for Levy Money remaining unpaid for.

That 44,569 *l.* 8 *s.* 1 *d.* be granted for what remains payable of the Subſidy for the ſaid 6000 Danes.

That 36,157 *l.* 19 *s.* 1 *d.* ½ be granted for ſeveral extraordinary Expences incurred 1740, and not provided for by Parliament.

That 53,995 *l.* 13 *s.* 4 *d.* be granted for maintaining a Regiment of Foot raiſed in America, conſiſting of 36 Companies for 1741.

That

That 6249 *l.* 16 *s.* 4 *d.* three Farthings, be gr
make good the Loſs ſuſtained by ſeveral Merchant
the Officers of the Six new-raiſed Independant Com
Foot in Jamaica, by the Failure of Mr. Henry Po
Majeſty's Agent to the ſaid Companies.

That 1816 *l.* 17 *s.* 4 *d.* three Farthings, be g
Richard Fitz-william Eſq; Captain of an Independ
pany of Foot in New Providence, to make good th
ſuſtained by the Failure of Mr. Popple.

That 650 *l.* be granted to make good a Loſs ſu
the Receiver General of Scotland, by the Failu
Popple *.

That 20,000 *l.* be granted for re-eſtabliſhing th
by Fire at Charles-Town in South-Carolina.

The 15th. In a Committee, went thro' the Bill
viction of Perſons returning from Tranſportation,
veral Amendments †.

In a Committee, went thro' the Bill for Con
Perſons returning from Tranſportation, with ſever
ments †.

Votes on Ways and Means.

The 16th. Agreed to the Report of Yeſterday
tion, in a Committee on Ways and Means, viz,
That the Sum of one Million be granted to hi
out of the Surpluſſes and Exceſſes of the Sinking F

That towards raiſing the Supply, there be iſſue
plied the Sum of 11,434 *l.* 4 *s.* now remaining i
chequer, reſerved to be diſpoſed of by Parliament

Grants for 1740, be iſſued and applied towards making good the Supply granted in this Seſſion of Parliament. Ordered in a Bill accordingly. Ordered, That a Clauſe be inſerted in the Bill, for allowing a Drawback of all Duties on ſuch Coals, as ſhall be uſed in the working Fire-Engines for draining Tin and Copper Mines in Cornwall. Anno 14, Geo II. 1740.

Agreed to the Report of the Bill for Conviction of Perſons returning from Tranſportation. Ordered it to be ingroſſed.

The 17th. Read a third Time, and paſſed the Bill for Conviction of Offenders tranſported, unlawfully returning to Great Britain, or Ireland, &c. Ordered it to the Lords.

Read a firſt Time, a Bill for granting to His Majeſty, a certain Sum out of the Sinking-Fund, and applying other Sums towards the Supply of the Year 1741; and for other Purpoſes therein mentioned.

The 18th. Read a ſecond Time, the Sinking-Fund Bill.

The 20th. In a grand Committee, went thro' the Sinking-Fund Bill, with ſeveral Amendments.

The 21ſt. Agreed to the Report of the Sinking Fund Bill. Ordered it to be ingroſſed.

The 22d. Read a third Time, and paſſed the Bill for granting to his Majeſty, one Million out of the Sinking-Fund, and 51,022 *l.* 14 *s.* 10 *d.* three Farthings, out of the Exchequer, for 1741. Ordered it to the Lords.

Royal Aſſent given to ſeveral Bills.

The 25th. His Majeſty came to the Houſe of Peers, and gave the Royal Aſſent to,

1. An Act for granting to his Majeſty a certain Sum out of the Sinking Fund, and applying other Sums towards the Supply of the Year 1741, and for the other Purpoſes therein mentioned.

3. An Act for opening a Trade to and from Perſia thro' Ruſſia.

3. An Act for the Encouragement and Increaſe of Seamen, and for the better and ſpeedier Manning his Majeſty's Fleet.

4. An Act for reſtraining and preventing ſeveral unwarrantable Schemes and Undertakings in America.

5. An Act for the Preſervation of the public Roads in England.

6. An Act for ſurveying the chief Ports and Headlands on the Coaſt of Great Britain and Ireland, and the Iſlands and Plantations thereto belonging, for the more exact Determination of the Longitude and Latitude thereof.

7. An Act to enable the Commiſſioners for building Weſtminſter Bridge, to raiſe a further Sum towards finiſhing the ſame, &c.

And to one other public, and two private Acts.

After

Means of reducing our Enemies to Reaſon; and
and Earneſtneſs, which you have ſo ſeaſonably ſhe
Defence of the Houſe of Auſtria, and the Mainten
Ballance and Liberties of Europe, muſt give the g
couragement to our Friends. Theſe are the Met
cure to this Nation that Weight and Influence abr
its natural Strength and Situation entitle it to."

Gentlemen of the Houſe of Commons,

" It is with particular Satisfaction, I acknowl
Readineſs and Application, in raiſing the Supplies f
vice of the current Year; which you have done w
a Regard to the preſent Exigencies of the Public
you to be the true Repreſentatives of my faithful C

My Lords and Gentlemen,

" I cannot part with this Parliament, withou
returning you my Thanks, for the many eminent
which you have given me, of your Fidelity and
to my Perſon and Government; your fixed Reſ
maintain the Proteſtant Succeſſion in my Family;
unſhaken Adherence to the true Intereſt of your
You have, with the moſt becoming Spirit and Firm
erted yourſelves in vindicating and defending the H
my Crown, and the undoubted Rights of Navig
Commerce belonging to my Subjects; and enabl
revenge theſe Wrongs and Inſults, which, contra
Faith of Treaties, had been committed againſt bot
critical a Conjuncture, you have ſupported the nati

Parliament, ſo it will be the Subject of Emulation to thoſe which ſhall come after it. Anno 14 Geo II. 1740

"I will immediately give the neceſſary Orders for calling a new Parliament. There is not any thing I ſet ſo high a Value upon, as the Love and Affection of my People; in which I have ſo entire a Confidence, that it is with great Satisfaction, I ſee this Opportunity put into their Hands, of giving me freſh Proofs of it, in the Choice of their Repreſentatives.

"On the preſent Eſtabliſhment depends the Continuance of our excellent Conſtitution in Church and State; and in this Conſtitution conſiſts the Security of the preſent Eſtabliſhment: Nothing can hurt the one, that will not, in proportion, undermine and weaken the other. For my Part, the uniform Preſervation of both, and the Maintenance of the religious and civil Rights of all my Subjects, have been, and ever ſhall be, my conſtant Care. Thoſe who diſtinguiſh themſelves by perſevering in theſe Principles, ſhall always find my Countenance and Favour; and, by invariably purſuing theſe wiſe and honeſt Meaſures, we may entertain the beſt grounded Hopes, that, under the Protection of the Divine Providence, the Happineſs of Great Britain will be perpetuated to Poſterity."

A State of the National Debt.

		s.	*d.*
The Amount of the National Debt on *December* 31, 1737, was	47,185,869	10	1 -
Increaſed between Decem. 31, 1737, and December 31, 1738.	300,000	0	0
Paid off within the ſaid Time	1,171,040	0	0
The Amount of the National Debt on December 31, 1738, was	46,314,829	10	1
Increaſed between Decem. 31, 1738, and December 31, 1739, Nil,			
Paid off within the ſaid Time	184,883	6	8
The Amount of the National Debt on December 31, 1739, was	46,129,946	3	5
Increaſed between Decem. 31, 1739, and December 31, 1740, Nil.			
Paid off within the ſaid Time	186,000	0	0
The Amount of the National Debt on December 31, 1740, was	45 943,946	3	5

PARTICULARS omitted in the *Laſt Seſſion*, which did not occur in Order of Time.

The DEBATE *on the* Corn-Bill, *which was brought in* November 20, *and paſſed* December 24.

Mr. Pulteney.

SIR,

Mr. Pulteney. AFTER all the Attention which has been beſtowed upon the Bill now before us, I cannot yet conceive it ſuch as can benefit the Nation, or ſuch as will not produce far greater Inconveniencies than thoſe which it is intended to obviate, and therefore as thoſe Inconveniences may be prevented by other Means, I cannot but declare that I am far from approving it.

'Our Anceſtors, Sir, have always thought it the great Buſineſs of this Houſe to watch againſt the Encroachments of the Prerogative, and to prevent any Increaſe of the Power of the Miniſter, and the Members have always been conſidered as more faithful to their Truſt, and more properly the Repreſentatives of the People, in Proportion as they have conſidered this great End with more Attention, and proſecuted it with more invariable Reſolution. If we enquire into the different Degrees of Reputation, which the ſeveral Aſſemblies of Members have obtained, and conſider why ſome are remembered with Reverence and Gratitude, and others never mentioned but with Deteſtation and Contempt, we ſhall always find that their Conduct, with regard to this ſingle Point, has produced their Renown or their Infamy. Thoſe are always by the general Suffrage of Mankind applauded as the Patrons of their Country, who have ſtruggled with the Influence of the Crown, and thoſe condemned as Traytors, who have either promoted it by unreaſonable Grants, or ſeen it increaſe by ſlow Degrees without Reſiſtance.

'If

' It has not indeed, Sir, been always the Practice of Miniſters to make open Demands of larger Powers, and avow, without Diſguiſe, their Deſigns of extending their Authority; ſuch Propoſals would, in former Times, have produced no Conſequences but that of awakening the Vigilance of Parliament, of raiſing Suſpicions againſt all their Proceedings, and of embarraſſing the Crown, with Petitions, Addreſſes, and Impeachments.

' They were under a Neceſſity in thoſe Times of promoting their Schemes, thoſe Schemes which ſcarcely any Miniſter has forborn to adopt, by more ſecret, artful, and ſilent Methods; by Methods of diverting the Attention of the Public to other Objects, and of making inviſible Approaches to the Point in View, while they ſeemed to direct all their Endeavours to different Purpoſes.

' But ſuch, Sir, have been the Proofs of implicite Confidence, which the Adminiſtration has received from this Houſe, that it is now common to demand unlimitted Powers, and to expect Confidence without Reſtriction; to require an immediate Poſſeſſion of our Eſtates by a Vote of Credit, or the ſole Direction of our Trade by an Act for prohibiting, during their Pleaſure, the Exportation of the Produce of our Lands.

' Upon what Inſtances of uncommon Merit, of Regard to the public Proſperity, unknown in former Times, or of Diſcernment ſuperior to that of their moſt celebrated Predeceſſors, the preſent Miniſters found their new Claims to Submiſſion and to Truſt, I am indeed at a loſs to diſcover; for, however Mankind may have determined concerning the Integrity of thoſe by whom the late memorable Convention was tranſacted, defended, and confirmed, I know not that their Wiſdom has yet appeared by any inconteſtable or manifeſt Evidence, which may ſet their Abilities above Queſtion, and fix their Reputation for Policy out of the Reach of Cenſure and Enquiries.

' The only Act, Sir, by which it can be diſcovered that they have any Degree of Penetration proportionable to their Employments, is the Embargo lately laid upon Proviſions in Ireland, by which our Enemies have been timely hindered from furniſhing themſelves from our Dominions with Neceſſaries for their Armies and their Navies, and our Fellow-ſubjects have been reſtrained from expoſing themſelves to the Miſeries of Famine, by yielding to the Temptation of preſent Profit; a Temptation generally ſo powerful as to prevail over any diſtant Intereſt.

' But as nothing is more contrary to my natural Diſpoſition, or more unworthy of a Member of this Houſe than

Flattery, I cannot affirm that I aſcribe this uſeful Expedient wholly to the Sagacity or the Caution of the Miniſtry, nor can I attribute all the happy Effects produced by it to their benign Solicitude for the public Welfare.

'I am inclined to believe that this Step was adviſed by thoſe who were prompted to conſider its Importance by Motives more prevalent than that of public Spirit; and that the Deſire of Profit, which has ſo often dictated pernicious Meaſures, has for once produced, in return, an Expedient juſt and beneficial; and it has for once, luckily fallen out, that ſome of the Friends of the Adminiſtration have diſcovered that the public Intereſt was combined with their own.

'It is highly probable, Sir, that the Contractors for ſupplying the Navy with Proviſions, conſidering with that Acuteneſs which a quick Senſe of Loſs and Gain always produces, how much the Price of Victuals would be raiſed by Exportation, and by Conſequence how much of the Advantage of their Contracts would be diminiſhed, ſuggeſted to the Miniſtry the Neceſſity of an Embargo, and laid before them thoſe Arguments which their own Obſervation and Wiſdom would never have diſcovered.

'Thus, Sir, the Miniſters in that Inſtance of their Conduct, on which their political Reputation muſt be founded, can claim perhaps no higher Merit, than that of attending to ſuperior Knowledge of complying with good Advice when it was offered, and of not reſiſting Demonſtration when it was laid before them.

'But as I would never aſcribe to one Man the Merit of another, I ſhould be equally unwilling to detract from due Commendations, and ſhall therefore freely admit, that not to reject good Council is a Degree of Wiſdom, at which I could not expect that they by whom the Convention was concluded would ever have arrived.

'But whatever Proficiency they may have made in the Art of Government ſince that celebrated Period, however they may have increaſed their Maxims of domeſtic Policy, or improved their Knowledge of foreign Affairs, I cannot but confeſs myſelf ſtill inclined to ſome Degree of Suſpicion, nor can prevail upon myſelf to ſhut my Eyes and deliver up the Public and myſelf implicitly to their Direction.

'Their Sagacity, Sir, may perhaps of late have received ſome Improvements from longer Experience; and with regard to their Integrity, I believe at leaſt that it is not much diminiſhed; and yet I cannot forbear aſſerting the Right of judging for myſelf, and of determining according to the Evidence that ſhall be brought before me.

I have hitherto entertained an Opinion that for this
oſe only we are deputed by our Conſtituents, who, if
had repoſed no Confidence in our Care and Abilities,
d have given up long ſince the vexatious Right of con-
g for the Choice of Repreſentatives. They would
furniſhed the Miniſtry with general Powers to act for
, and ſat at Eaſe with no other Regard to public Mea-
than might incite them to animate with their Ap-
ſes the laudable Endeavours of their profound, their
ent, and their magnanimous Governors.

As I do not therefore check any Suſpicions in my own
d, I ſhall not eaſily be reſtrained from uttering them,
ſe I know not how I ſhall benefit my Country, or aſſiſt
Councils by ſilent Meditations. I cannot, Sir, but ob-
: that the Powers conferred by this Bill upon the Admi-
ation are larger than the Nation can ſafely repoſe in any
y of Men, and with which no Man, who conſiders to
t Purpoſes they may be employed, will think it conveni-
o inveſt the Negotiators of the Convention.

Nor do my Objections to this Act ariſe wholly from my
rehenſions of their Conduct, who are intruſted with the
cution of it, but from my Reflections on the Nature of
le, and the Conduct of thoſe Nations who are moſt cele-
ed for commercial Wiſdom.

It is well known, Sir, how difficult it is to turn Trade
t into its ancient Channel, when it has by any means
diverted from it, and how often a profitable Traffic has
loſt for ever, by a ſhort Interruption, or temporary Pro-
bn. The Reſentment of diſappointed Expectations,
nes the Buyer to ſeek another Market, and the Civility
hich his new Correſpondents are incited by their own
reſt, detains him, till thoſe by whom he was formerly
lied, having no longer any Vent for their Products or
r Wares, employ their Labours on other Manufactures,
ultivate their Lands for other Purpoſes.

Thus, Sir, if thoſe Nations who have hitherto been ſupplyed
Corn from Great Britain, ſhould find a Method of pur-
ing it from Denmark, or any other of the Northern
ions, we may hereafter ſee our Grain rotting in our
houſes, and be burthened with Proviſions which we can
ver conſume ourſelves, nor ſell to our Neighbours.

he Dutch, whoſe Knowledge of the Importance or Skill
e Arts of Commerce will not be queſtioned, are ſo care-
preſerve the Inlets of Gain from Obſtruction, that they
e no ſcruple of ſupplying their Enemies with their Com-
ties, and have been known to ſell at Night thoſe Bul-
hich were next Day to be diſcharged againſt them.

Whether

' Whether their Example, Sir, deſerves our I am not able to determine, but it ought at leaſt to be whether their Conduct was rational or not, and wh did not, by a preſent Evil, enſure an Advantage w balanced it.

' There are doubtleſs, Sir, ſometimes ſuch Exi require to be complied with at the hazard of future I am not certain that the Scarcity which is feared preſent, is to be numbered amongſt them; but ho midable it may be thought, there is ſurely no need Law to provide againſt it: For it is one of thoſe nary Incidents, on which the King has the Rig erting extraordinary Powers. On Occaſions lik Prerogative has heretofore operated very effectual know not that the Law has ever reſtrained it.

' It is therefore, Sir, in my Opinion, moſt prud termine nothing in ſo dubious a Queſtion, and rathe the immediate Occaſion ſhall require, than profecu tain Method of proceeding, or eſtabliſh any Preced Act of the Senate.

' To reſtrain that Commerce by which the Nec Life are diſtributed in a very bold Experiment, an once produced an Inſurrection in Turkey, that n in the Depoſition of one of their Monarchs.

' I therefore willingly confeſs, Sir, that I know to conclude: I am unwilling to deprive the Nation or to ſupply our Enemies with Strength to be exer ourſelves; but I am on the other hand afraid t Commerce, and to truſt the Authors of the Conve

Mr. Henry Pelham.

SIR,

Mr. Pelham. ' I am always in expectation of Improvement an tion when that Gentleman engages in any Diſcuſſi tional Queſtions, on which he is equally qualified to his great Abilities and long Experience, by that I which enables him to ſound the Sentiments of M ferent Intereſts, and that Intelligence which ex Views to diſtant Parts of the World; but on this I have found my Expectations fruſtrated, for he has without making any Diſcovery, and harangued illuſtrating the Queſtion before us.

' He has ſatisfied himſelf, Sir, with declaring hi ons, without condeſcending to tell us what Deſigns Dangers he apprehends. To fear without being abl the Object of our Terrors, is the laſt, the moſt d Degree of Cowardice; and to ſuſpect without kno Foundation of our own Suſpicions is ſurely a Proof c

of Mind, which would not be applauded on common Occaſions, and ſuch as no Man but a Patriot would venture to profeſs.

'He has indeed, Sir, utter'd ſome very ingenious Conceits upon the late Convention, has alluded to it with great Luxuriancy of Fancy, and Elegance of Diction; and I muſt at leaſt confeſs that, whatever may be its Effects upon the Intereſt of the Nation, it has to him been very beneficial; as it has ſupplied him with a Subject of Raillery when other Topics began to fail him, and given Opportunity for the Exerciſe of that Wit which began to languiſh for want of Employment.

'What Connection his wonderful Sagacity has diſcovered between the Convention and a Corn bill, I cannot yet fully comprehend, but have too high an Opinion of his Abilities to imagine that ſo many Inſinuations are wholly without any Reaſon to ſupport them. I doubt not therefore, Sir, but that when ſome fitter Opportunity ſhall preſent itſelf he will trace their Reſemblance, and branch out the Parallel between them into a thouſand Particulars.

'In the mean Time, Sir, it may be proper for the Houſe to expedite the Bill againſt which no Argument has yet been produced, and which is of too much Importance to be delayed by Raillery or Invectives.

Mr Sandys.

SIR,

'The Bill before us as it is of too much Importance, to be negligently delayed, is likewiſe too dangerous to be precipitately hurried into a Law. Mr. Sandys.

'It has been always the Practice of this Houſe to conſider Money-Bills with particular Attention, becauſe Money is Power in almoſt the higheſt Degree, and ought not therefore to be given but upon ſtrong Aſſurances, that it will be employed for the Purpoſes for which it is demanded, and that thoſe Purpoſes are in themſelves juſt.

'But if we conſider, Sir, the Bill now before us, it will appear yet more than a Money-Bill; it will be found a Bill for regulating the Diſpoſal of that, which it is the great Uſe of Money to procure, and is therefore not to be paſſed into a Law without a cloſe Attention to every Circumſtance that may be combined with it, and an accurate Examination of all the Conſequences that may be produced by it.

'Some of theſe Circumſtances or Conſequences, it is the Duty of every Member to lay before the Houſe; and I ſhall therefore propoſe, that the Inducements to the Diſcovery of any Proviſions illegally exported, and the Manner of levying the Forfeiture, may be particularly diſcuſſed; for by a Defect in this Part, the Regulation lately eſtabliſhed by the Regency,

Idleneſs prompted him to maintain his Family b
more eaſy than that of daily Labour, was delight
Proſpect of growing Rich on a ſudden by a luc
All the Seditious and the Profligate combined
the welcome Employment of Violence and R
when they had once raiſed their Expectations, th
ſmall Danger, left their Impatience of Diſappoint
determine them to conclude, that Corn, where
was deſigned for Exportation, and to ſeize it a
Prize.

'Thus, Sir, by an imprudent Regulation, was e
Property brought into Hazard, and his Perſon
the Inſults of a hungry, a rapacious, and un
Rabble, let looſe by a public Proclamation, and
to ſearch Houſes and Carriages by an imaginary

'That we may not give Occaſion to Violence a
of the ſame kind, let us carefully conſider the Meaſ
are propoſed before we determine upon their Pro
paſs no Bill on this important Occaſion without ſu
ration as may leave us nothing to change or to rep

Mr. Earl.

SIR,

Mr. Earl. 'Notwithſtanding the Dangers which have b
ſented as likely to ariſe from any Error in the F
of this great Affair, I cannot but declare my Opi
no Delay ought to be admitted, and that not eve

calamities equally to be dreaded with the Conſequences of protracting our Debates upon it, equal to the Miſeries of a Famine, or the Danger of enabling our Enemies to ſtore their Magazines, to equip their Fleets, and victual their Garriſons.

'If it could be imagined that there was in this Houſe a Subject of France or Spain, zealous for the Service of his Prince, and the Proſperity of his Country, I ſhould expect that he would ſummon all his Faculties to retard the Progreſs of this Bill, that he would employ all his Sophiſtry to ſhew its Inconveniency and Imperfections, and exhauſt his Invention to ſuggeſt the Dangers of Haſte; and certainly he could do nothing that would more effectually promote the Intereſt of his Countrymen, or tend more to enfeeble and depreſs the Power of the Britiſh Nation.

'If this would naturally be the Conduct of an Enemy, it is unneceſſary to prove that we can only be ſafe by acting in Oppoſition to it, and I think it ſuperfluous to vindicate my Ardour for promoting this Bill, when it is evident that no Delay would be pleaſing to the Spaniard.

Mr. * Burrel.

SIR,

'If this Law be neceſſary at any Time, it cannot now be delay'd, for a few Days ſpent in Deliberation may make it ineffectual, and that Evil may be paſt of which we ſit here contriving the Prevention. Mr. Burrel.

'That many Contracts, Sir, for the Exportation of Proviſions are already made in all the Maritime Parts of the Kingdom, is generally known; and it requires no great Sagacity to diſcover that thoſe by whom they are made, and who with a View of immenſe Profit, are deſirous that they may be executed; and that they will ſoon compleat the Execution of them, when they are alarmed with the Apprehenſion of a Bill which in a few Days may take from them the Power of exporting what they have already collected, and ſnatch their Gain from them when it is almoſt in their Hands.

'A Bill for theſe Purpoſes, Sir, ought to fall upon the Contractors like a ſudden Blow, of which they have no Warning or Dread; againſt which they therefore cannot provide any Security, and which they can neither elude nor reſiſt.

'If we allow them a ſhort Time, our Expedients will be of little Benefit to the Nation, which is every Day impoveriſh'd by the Exportation of the Neceſſaries of Life, in ſuch Quantities, that in a few Weeks the Law, if it be paſſed

* *Sub-Governour of the South-Sea Company.*

ſed, may be without Penalties, for there will be no Poſſibility of diſobeying it.'

Sir John Barnard.

SIR,

Sir John Barnard.

'I cannot diſcover the Neceſſity of preſſing the Bill with ſuch Precipitation, as muſt neceſſarily exclude many uſeful Conſiderations, and may produce Errors extremely dangerous; for I am not able to conceive what Inconveniencies can ariſe from a ſhort Delay.

'The Exportation of Proviſions from Ireland is at preſent ſtopped by the Proclamation; and the Beef which was deſigned for other Nations, has been prudently bought up by the Contractors, by which thoſe Murmurs have been in a great Meaſure obviated, which naturally ariſe from Diſappointments and Loſſes.

'There is therefore, Sir, no Danger of Exportations from that Part of our Dominions, which is the chief Market for Proviſions, and from whence our Enemies have been generally ſupplied: In Great Britain there is leſs Danger of any ſuch pernicious Traffic, both becauſe the Scarcity here has raiſed all Proviſions to a high Price, and becauſe Merchants do not immediately come to a new Market.

'The Bill, at leaſt, ought not to be paſſed without Regard to the general Welfare of our Fellow-Subjects, nor without an attentive Conſideration of thoſe Petitions which have been preſented to us; Petitions not produced by panic Apprehenſions of imaginary Dangers, or diſtant Proſpects of Inconveniencies barely poſſible, but by the certain Foreſight of immediate Calamities, the total Deſtruction of Trade, and the ſudden Deſolation of flouriſhing Provinces.

'By prohibiting the Exportation of Rice, we ſhall, Sir, in one Year, reduce the Colony of South Carolina below the Poſſibility of ſubſiſting; the chief Product of that Country, the Product which induced us originally to plant it, and with which all its Trade is carried on, is Rice. With Rice the Inhabitants of that Province purchaſe all the other Neceſſaries of Life, and among them the Manufactures of our own Country. This Rice is carried by our Merchants to other Parts of Europe, and ſold again for large Profit.

'That this Trade is very important appears from the Number of Ships which it employs, and which, without Lading, muſt rot in the Harbours, if Rice be not excepted from the general Prohibition. Without this Exception, Sir, it is not eaſy to ſay what Numbers, whoſe Stations appear very different, and whoſe Employments have no viſible Relation to each other, will be at once involved in Calamity, reduced

reduced to ſudden Diſtreſs, and obliged to ſeek new Methods of ſupporting their Families. The Sailor, the Merchant, the Shipwright, the Manufacturer, with all the Subordinations of Employment that depend upon them, all that ſupply them with Materials, or receive Advantage from their Labours, almoſt all the Subjects of the Britiſh Crown muſt ſuffer at leaſt in ſome Degree, by the Ruin of Carolina.

'Nor ought the Danger of the Sugar Iſlands, and other Provinces, leſs to alarm our Apprehenſions, excite our Compaſſion, or employ our Conſideration, ſince nothing is more evident than that, by paſſing this Bill without the Exceptions which their Petitions propoſe, we ſhall reduce one Part of our Colonies to the Want of Bread, and confine the other to live on nothing elſe; for they ſubſiſt by the Exchange of thoſe Products to which the Soil of each Country is peculiarly adapted: One Province affords no Corn, and the other ſupplies its Inhabitants with Corn only.

'The Neceſſity of expediting this Bill, however it has been exaggerated, is not ſo urgent but that we may be allowed Time ſufficient to conſider for what Purpoſe it is to be paſſed, and to recollect that nothing is deſigned by it, but to hinder our Enemies from being ſupplied from the Britiſh Dominions with Proviſions, by which they might be enabled more powerfully to carry on the War againſt us.

'To this Deſign no Objection has been made, but it is well known, that a good End may be defeated by an abſurd Choice of Means; and I am not able to diſcover how we ſhall increaſe our own Strength, or diminiſh that of our Enemies, by compelling one Part of our Fellow-Subjects to ſtarve the other.

'It is neceſſary, Sir, to prohibit the Exportation of Corn to the Ports of our Enemies, and of thoſe Nations by which our Enemies will be ſupplied, but ſurely it is of no Uſe to exclude any Part of our own Dominions from the Privilege of being ſupplied from another. Nor can any Argument be alleged in Defence of ſuch a Law, that will not prove, with equal Force, that Corn ought to remain in the ſame Granaries where it is now laid, that all the Markets in this Kingdom ſhould be ſuſpended, and that no Man ſhould be allowed to ſell Bread to another.

'There is, indeed, Sir, a Poſſibility that the Liberty for which I contend may be uſed to wicked Purpoſes, and that ſome Men may be incited by Poverty or Avarice to carry the Enemy thoſe Proviſions, which they pretend to export to Britiſh Provinces. But if we are to refuſe every Power that may be employed to bad Purpoſes, we muſt lay all Mankind in Dungeons, and diveſt human Nature of all its Rights; for

every Man that has the Power of Action, may ſometimes act ill.

'It is, however, prudent to obſtruct criminal Attempts even when we cannot hope entirely to defeat them, and therefore I am of Opinion, that no Proviſions ought to be exported without ſome Method of Security, by which the Governors of every Place may be aſſured that they will be conveyed to our own Colonies. Such Securities will eaſily be contrived, and may be regulated in a Manner that they ſhall not be defeated without ſuch Hazard, as the Profit that can be expected from illegal Commerce, will not be able to compenſate.'

It is therefore, Sir, proper to delay the Bill ſo long at leaſt as that we may produce by it the Ends intended, and diſtreſs our Enemies more than ourſelves; that we may ſecure Plenty at Home, without the Deſtruction of our diſtant Colonies, and without obliging Part of our Fellow-Subjects to deſert to the Spaniards for Want of Bread.'

Mr. Bowles.

SIR,

Mr. Bowles. 'The Neceſſity of excepting Rice from the general Prohibition is not only ſufficiently evinced by the Agents of South Carolina, but confirmed beyond Controverſy or Doubt by the Petition of the Merchants of Briſtol, of which the Juſtice and Reaſonableneſs appears at the firſt View to every Man acquainted with the Nature of Commerce.

'How much the Province of South Carolina will be diſtreſſed by this Prohibition, how ſuddenly the whole Trade of that Country will be at a Stand, and how immediately the Want of many of the Neceſſaries of Life will be felt over a very conſiderable Part of the Britiſh Dominions, has already, Sir, been very pathetically repreſented, and very clearly explained, nor does there need any other Arguments to perſuade us to allow the Exportation of Rice.

'But, from the Petition of the Merchants of Briſtol it appears, that there are other Reaſons of equal Force for this Indulgence, and that our Regard for the Inhabitants of that particular Province, however neceſſary and juſt, is not the only Motive for complying with their Requeſt.

'It is ſhewn, Sir, in this Petition, that the Prohibition of Rice will very little incommode our Enemies, or retard their Preparations; for they are not accuſtomed to be ſupplied with it from our Plantations. We ought, therefore, not to load our Fellow-Subjects with Embarraſments and Inconveniencies, which will not in any Degree extend to our Enemies.

I.

It appears, Sir, not only that a very important Part of our Commerce will be obſtructed, but that it will probably be loſt beyond Recovery; for, as only a ſmall Quantity of the Rice of Carolina is conſumed at Home, and the reſt is carried to other Countries, it is eaſy to conceive that thoſe who ſhall be diſappointed by our Merchants will procure ſo neceſſary a Commodity from other Places, as there are many from which it may be eaſily purchaſed; and it is well known that Trade, if it be once diverted, is not to be recalled, and therefore that Trade which may be without Difficulty tranſferred, ought never to be interrupted without the moſt urgent Neceſſity.

'To prove, Sir, that there is now no ſuch Neceſſity, by a long Train of Arguments, would be ſuperfluous, for it has been ſhewn already, that our Enemies will not ſuffer by the Prohibition, and the Miſeries that inevitably ariſe from a State of War are too numerous and oppreſſive, to admit of any Increaſe or Aggravation upon trivial Motives.

The Province of Carolina, Sir, has already ſuffered the Inconveniencies of this War beyond any other Part of his Majeſty's Dominions, as it is ſituated upon the Borders of the Spaniſh Dominions, and as it is weak by the Paucity of the Inhabitants in Proportion to its Extent: Let us therefore pay a particular regard to this Petition, leſt we aggravate the Terror which the Neighbourhood of a powerful Enemy naturally produces, by the ſevere Miſeries of Poverty and Famine.

Sir Robert Walpole.

SIR,

'Nothing is more abſurd than for thoſe who declare on all Occaſions, with great Solemnity, their ſincere Zeal for the Service of the Public, to protract the Debates of this Houſe by perſonal Invectives, and delay the Proſecution of the Buſineſs of the Nation, by trivial Objections, repeated after Confutation, and perhaps after Conviction of their Invalidity. Sir Robert Walpole.

'I need not obſerve how much Time would be ſpared, and how much the Diſpatch of Affairs would be facilitated, by the Suppreſſion of this Practice, a Practice by which Truth is levelled with Falſhood, and Knowledge with Ignorance; ſince, if Scurrility and Merriment are to determine us, it is not neceſſary either to be honeſt or wiſe to obtain the Superiority in any Debate; it will only be neceſſary to rail and to laugh, which one Man may generally perform with as much Succeſs as another.

The

ae Embargo in Ireland was an Expedient ſo neceſſary timely, that the Reputation of it is thought too great e allowed to the Adminiſtration, of whom it has been many Years the hard Fate to hear their Actions cen- ed, only becauſe they were not the Actions of others, and be repreſented as Traytors to their Country, for doing al- ays what they thought beſt themſelves, and perhaps ſome- imes what was in reality approved by thoſe who oppoſed hem.

'This, Sir, they have borne without much Uneaſineſs, and have contented themſeves with the Conſciouſneſs of doing right, in Expectation that Truth and Integrity muſt at laſt prevail; and that the Prudence of their Conduct and Succeſs of their Meaſures would at laſt evince the Juſtice of their Intentions.

'They hoped, Sir, that there would be ſome Occaſions on which their Enemies would not deny the Expedience of their Counſels, and did not expect that after having been ſo long accuſed of engroſſing exorbitant Power, of rejecting Advice, and purſuing their own Schemes with the moſt invincible Obſtinacy, they ſhould be ſuppoſed on a ſudden to have laid aſide their Arrogance, to have deſcended to adopt the Opinions, and give themſelves up to the Direction of others, only becauſe no Objection could be made to this Inſtance of their Conduct.

'How unhappy, Sir, muſt be the State of that Man who is only allowed to be a free Agent, when he acts wrong, and whoſe Motions, whenever they tend to the proper Point, are ſuppoſed to be regulated by another!

'Whether ſuch capricious Cenſurers expect that any Regard ſhould be paid by the Public to their Invectives, I am not able to determine, but I am inclined to think ſo well of their Underſtandings, as to believe that they intend only to amuſe themſelves, and perplex thoſe whom they profeſs to oppoſe. In one Part of their Scheme I know not but they may have ſucceeded, but in the other it is evident how generally they have failed. It muſt at leaſt, Sir, be obſerved of theſe great Patrons of the People, that if they expect to gain them by Artifices like this, they have no high Opinion of their Diſcernment, however they may ſometimes magnify it as the laſt Appeal, and higheſt Tribunal.

'With regard, Sir, to the Manner in which the Embargo was laid, and the Expedients made uſe of to enforce the Obſervation of it, they were not the Effects of a ſudden Reſolution, but of long and deliberate Reflection, aſſiſted by the Councils of the moſt experienced and judicious Perſons of both Nations, ſo that if any Miſtake was committed, it proceeded

mpled not from Arrogance or Careleſsneſs, but a Compliance
vch Reaſons, that, if laid before the Houſe, would, whether
ſo or not, be allowed to be ſpecious.

'But, Sir, it has not appeared that any improper Meaſures
ave been purſued, or that any Inconveniencies have ariſen
om them which it was poſſible to have avoided by a diffe-
nt Conduct; for when any Expedient fails of producing
e End for which it was propoſed, or gives Occaſion to In-
conveniences which were neither expected nor deſigned, it is
ot immediately to be condemned; for it might fail from
ch Obſtacles as nothing could ſurmount, and the Inconve-
iencies which are complained of, might be the Conſequences
f other Cauſes acting at the ſame time, or co-operating,
ot by the Nature of Things, but by the Practices of thoſe
who prefer their own Intereſt to that of their Country.

'But tho' it is, in my Opinion, eaſy to defend the Conduct
of the Miniſtry, I am far from thinking this a proper Time
to engage in their Vindication. The important Buſineſs
before us muſt now wholly engage us, nor ought we to em-
ploy our Attention upon the paſt but the future. Whatever
has been the Ignorance or Knowledge, whatever the Cor-
ruption or Integrity of the Miniſtry, this Bill is equally uſe-
ful, equally neceſſary. The Queſtion is now concerning an
Act of the Parliament, not of the Miniſtry, and the Bill may
proceed without obſtructing future Examinations.

'If the Bill, Sir, now before us be ſo far approved as to
be conceived of any real Benefit to the Nation, if it can at
all contribute to the Diſtreſs or Diſappointment of our Ene-
mies, or the Prevention of thoſe domeſtic Diſturbances
which are naturally produced by Scarcity and Miſery; there
is no need of Arguments to evince the Neceſſity of Undiſ-
patch in paſſing it. For if theſe Effects are to be produced
by preventing the Exportation of Proviſions, and a Law is
neceſſary for that Purpoſe, it is certain that the Law muſt
be enacted, while our Proviſions are yet in our Hands, and
before Time has been given for the Execution of thoſe
Contracts which are already made.

'That Contracts, Sir, are entered into for Quantities that
juſtly claim the Care of the Legiſlative Power, I have been
informed by ſuch Intelligence as I cannot ſuſpect of deceiv-
ing me. In one ſmall Town in the Weſtern Part of this
Kingdom fifty thouſand Barrels of Corn are ſold by Con-
tract, and will be exported, if Time be allowed for collecting
and for ſhipping them.

'A few Contracts like this will be ſufficient to ſtore an
Army with Bread, or to furniſh Garriſons againſt the Dan-
ger of a Siege; a few Contracts like this will produce a con-
ſiderable

they were of little Weight; and I believe they had r
Effect upon thoſe that heard them. It may therefo
ſonably ſuppoſed, that the Propriety of a Law to pr
Exportation of Victuals is admitted, and ſurely it
Queſtion, whether it ought to be preſſed forward
delayed till it will be of no effect.'

Mr. Fazakerley.

SIR,

Mr. Fazakerley.

'As the Bill now under our Conſideration is
with a Multitude of Circumſtances too important to
by without Conſideration, and too numerous to b
examined; as its Effects, whether ſalutary or p
muſt extend to many Nations, and be felt in a ſe
to the remoteſt Parts of the Dominions of Great
cannot but think, that they, who ſo much preſs fo
tion on this Occaſion, conſult rather their Paſſions
Reaſon, that they diſcover rather Enthuſiaſm than
that by imagining that they have already traced t
of a Law like this to their utmoſt Extent, they di
ther an immoderate Confidence in their own Capa
give any Proofs of that anxious Caution, and delib
dence, which true Patriotiſm generally produces.

'There is another Method, Sir, of proceeding
per on this Occaſion, which has been already poin
this Debate, a Method of exciting the Prerogative
ner allowed by Law, and eſtabliſhed by immemo

'Let us not ſubject the Common-wealth to a hazardous and uncertain Security, while we have in our Hands the means of producing the ſame End, with leſs Danger and Inconveniency; and, ſince we may obviate the Exportation of our Corn by Methods more ſpeedily efficacious than the Forms of making Laws can allow, let us not oppreſs our Fellow-Subjects by haſty or imprudent Meaſures, but make Uſe of temporary Expedients, while we deliberate upon the Eſtabliſhments of a more laſting Regulation.'

Mr. Campbell.

SIR,

'That an Embargo on Merchandize or Proviſions, may upon ſudden Emergencies, or important Occaſions, be impoſed by the Prerogative, cannot be doubted by any Man whoſe Studies have made him acquainted with the Extent of the Regal Power, and the manner in which it has been exerted in all Ages. The chief Uſe of the Prerogative is to ſupply the Defects of the Laws, in Caſes which do not admit of long Conſultations, which do not allow Time to conſult Parliaments, or enquire into the Sentiments of the People. Mr. Campbell.

'For this Reaſon, in Times of War, the Royal Power is much enlarged, and has ſtill a greater Extent as Exigencies are more preſſing. If the Nation is invaded by a foreign Force, the Authority of the Crown is almoſt without Limits; the whole Nation is conſidered as an Army, of which the King is General, and which he then governs by martial Laws, by occaſional Judicature, and extemporary Decrees.

'Such, Sir, is the Power of the King on particular Emergencies, and ſuch Power the Nature of human Affairs muſt ſometimes require; for all Forms of Government are intended for common Good, and calculated for the eſtabliſhed Condition of Mankind, but muſt be ſuſpended when they can only obſtruct the Purpoſes for which they were contrived, and muſt vary with the Circumſtances to which they were adapted. To expect that the People ſhall be conſulted in Queſtions on which their Happineſs depends, ſuppoſes there is an Opportunity of conſulting them without hazarding their Lives, their Freedom, or their Poſſeſſions, by the Forms of Deliberation.

'The Neceſſity of extending the Prerogative to the Extremities of Power, is, I hope, at a very great Diſtance from us; but, if the Danger of the Exportation of Victuals is ſo urgent as ſome Gentlemen have repreſented it, and ſo formidable as it appears to the whole Nation, it is ſurely

[illegible] they have on this Occaſion expre
[illegible] without any Ambiguity of Language
[illegible] cas, I am in doubt whether I do nc
ing, and cannot, without Heſitation a
[illegible] propoſe the Motion to which all their A
[illegible] directly to conduct me; Arguments of w
nor deny the Force, and which I ſhall not attempt
[illegible] by ſlight Objections, when I am convinced in
their Reaſonableneſs and Truth.

'The Neceſſity of that Diſpatch which I ha
voured to recommend, is not only univerſally adn
affirmed to be ſo preſſing, that it cannot wait for
nity of Debates, or the common Forms of paſſi
The Danger, which is every Moment increaſing,
in the Opinion of theſe Gentlemen, to be obviated
ordinary Meaſures; and that pernicious Commer
threatens the Diſtreſs of the Community, is to be
by an immediate Act of the Prerogative.

'If this be the Opinion of the Houſe, it will be
to lay it before his Majeſty by a regular Addreſs
Nation may be convinced of the Neceſſity of ſuc
dinary Precaution, that the Embargo may be in
orce, with the Expedition peculiar to deſpotic Powe
Authority which can be conferred only by parl
Sanctions.

'Whether this is the Intention of the Memb
whoſe Declarations I have deduced it, can only be

own Expreſſions, I will freely declare, that I am ſufficiently underſtood by the Right Honourable Gentleman, and that, in my Opinion, no Remedy can be applied to the preſent Diſtemper of the Nation, a Diſtemper by which it is hourly pining away, by which its Vitals are impaired, and the neceſſary Nouriſhment withdrawn from it, that will operate with ſufficient Efficacy and Speed, except an Embargo be impoſed by the Prerogative.

'That this Opinion, if received by the Houſe, muſt be the Subject of an Addreſs, is in itſelf manifeſt; and the Reaſon for which an Embargo is required, proves that an Addreſs ought not to be delayed.

'I cannot omit this Opportunity of remarking, how plainly it muſt now appear that many of us have been unjuſtly charged with obſtructing the Progreſs of the Bill for pernicious Purpoſes, with Views of raiſing Diſcontents in the Nation, of expoſing the Adminiſtration to public Hatred, of obſtructing the Meaſures of the Government, or hindering the Succeſs of the War, when we have receded from our general Principles, and ſuſpended the Influence of our eſtabliſhed Maxims for the ſake of facilitating an Expedient which may promote the general Advantage, by recommending his Majeſty to the Affections of his People.'

Mr. Henry Pelham.

SIR,

'I am far from blaming any Gentleman for aſſerting, on all Occaſions, the Integrity of his Deſigns, or diſplaying the Reaſonableneſs of his Conduct; and of what I do not diſapprove, I ſhall not decline the Imitation. Mr Henry Pelham.

'It is not uncommon, in the Heat of Oppoſition, while each Man is convinced of his own Honeſty, and ſtrongly perſuaded of the Truth of his own Poſitions, to hear each Party accuſed by the other of Deſigns detrimental to the public Intereſt, of protracting Debates by artful Delays, of ſtruggling againſt their own Conviction, and of obſcuring known Truth by Objections which diſcover themſelves to be without Force.

'Theſe Accuſations, which are on both Sides frequent, are, I hope, on both Sides generally falſe; at leaſt it muſt appear on this Occaſion, that thoſe who preſs the Bill had no Views of ſtrengthening their Party by a Victory, of wearying their Opponents by Obſtinacy, or of promoting any private Purpoſes by a new Law; ſince an Expedient, by which time may be gained, and the avowed End of haſtening this neceſſary Bill ſecured, is no ſooner propoſed on one part, than received on the other.'

The following ſhort Debate occurred on the Queſtion when the Bill ſhould commence.

Mr. Campbell.

SIR,

Mr. Campbell. ‘ That the Laws may be obſerved by the Nation without daily Violence and perpetual Compulſion, that our Determinations may be received with Reverence, and the Regulations which we eſtabliſh confirmed by the Concurrence of our Conſtituents, it is neceſſary that we endeavour to preſerve their Eſteem, and convince them that the public Proſperity may be ſafely truſted in our Hands.

‘ This Confidence is to be gained as well in high Stations, as in lower Conditions, by large Aſſemblies as by Individuals, only by a conſtant Practice of Juſtice, and frequent Exertion of ſuperior Wiſdom. When any Man finds his Friend oppreſſive and malicious, he naturally withdraws his Affections from him; when he obſerves him advancing abſurd Opinions, and adhering to them with Obſtinacy incapable of Conviction, he falls unavoidably into a Diſtruſt of his Underſtanding, and no longer pays any Deference to his Advice, or conſiders his Conduct as worthy of Imitation.

‘ In the ſame manner, Sir, if the legiſlative Powers ſhall, in making Laws, diſcover that they regard any Motives before the Advantage of their Country, or that they purſue the public Good by Meaſures inadequate and ill-concerted, what can be expected from the People, but that they ſhould ſet up their own Judgment in Oppoſition to that of their Governors, make themſelves the Arbiters in all doubtful Queſtions, and obey or diſregard the Laws at Diſcretion?

‘ If this Danger may ariſe from Laws injudiciouſly drawn up, it may ſurely be apprehended from a Compliance with this Propoſal; a Propoſal that the Operation of the Law ſhould commence eleven Days before the Law itſelf is in Being.

‘ I have hitherto, Sir, regarded it as a Principle, equally true in Politics as in Philoſophy, that nothing can act when it does not exiſt; and I did not ſuſpect that a Poſition ſo evident would ever ſtand in need of a Proof or Illuſtration.

‘ We live indeed in an Age of Paradoxes, and have heard ſeveral Notions ſeriouſly defended, of which ſome would, not many Years ago, have condemned their Abettor to a Priſon or a Madhouſe, and would have been heard by the wiſeſt of our Anceſtors with Laughter or Deteſtation; but I did not expect that the moſt hardy Innovator would have ſhock'd my Underſtanding with a Poſition like this, or have aſſerted that a Law may operate before it is made, or before it is propoſed.

‘ That

'That where there is no Law there is no Tranſgreſſion,' a Maxim not only eſtabliſhed by univerſal Conſent, but in itſelf evident and undeniable; and it is, Sir, ſurely no leſs certain, that where there is no Tranſgreſſion there can be no Puniſhment.

'If a Man may be puniſhed, Sir, by a Law made after the fact, how can any Man conclude himſelf ſecure from the Rack or the Gibbet? A Man may eaſily find Means of being certain that he has offended no Law in being, but that will afford no great Satisfaction to a Mind naturally timorous; for a Law hereafter to be made, may, if this Motion be approved reaſonable, take cognizance of his Actions; and how he can know whether he has been equally ſcrupulous to obſerve the future Statutes of future Parliaments, he will find it very difficult to determine.'

Mr. Henry Pelham.

SIR,

'Notwithſtanding the Abſurdity which the Honourable Gentleman imagines himſelf to have diſcovered in this Propoſal, and which he muſt be confeſſed to have placed in a very ſtrong Light, I am of Opinion, that it may, with very little Conſideration, be reconciled to Reaſon and to Juſtice, and that the Wit and Satire that have been ſo liberally employed, will appear to have been loſt in the Air, without Uſe and without Injury. Mr. Pelham.

'The Operation of the Law may very properly commence from the Day on which the Embargo was laid by his Majeſty's Proclamation, which ſurely was not iſſued to no Purpoſe, and which ought not to be diſobeyed without Puniſhment.'

Sir John Barnard.

SIR,

'I cannot but be ſomewhat ſurpriſed, that a Gentleman ſo long converſant in national Affairs, ſhould not yet have heard or known the Difference between a Proclamation and a Penal Law. Sir John Barnard.

'By a Proclamation his Majeſty may prevent in ſome Caſes what he cannot puniſh, he may hinder the Exportation of our Corn by ordering Ships to be ſtationed at the Entrance of our Harbours; but if any ſhould eſcape with prohibited Cargoes, he can inflict no Penalties upon them at their Return.

'To enforce this Prohibition by the Sanction of Puniſhments is the Intention of the preſent Bill, but a Proclamation can make nothing criminal, and it is unjuſt and abſurd to puniſh an Action which was legal when it was done.

'The

"The Law ought, Sir, in my Opinion, not to commence till Time is allowed for diſperſing it to the utmoſt Limits of this Iſland; for as it is unreaſonable to puniſh without Law, it is not more equitable to puniſh by a Law, of which, they who have unhappily broken it could have no Intelligence."

A longer Day was agreed to.

Abſtract of the Bill to prevent the Exportation of Corn, &c. and of the Clauſes rejected.

"Whereas the Exportation of any Sort of Grain (Rice excepted) Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork, or Bacon, out of Great Britain or Ireland, and the Colonies or Plantations in America, or the Dominions belonging to the Crown of Great Britain in Europe, may at this Time be greatly prejudicial to his Majeſty's Subjects, [(A) and the ſame, as the Law now ſtands, cannot be effectually reſtrained; and whereas a proper Power of reſtraining the ſame upon any Emergency is at preſent neceſſary. (A)] Be it therefore enacted by the King's moſt excellent Majeſty, by and with the Advice of, &c. [(B) that from and after the Day of it ſhall be lawful for his Majeſty, by Order of Council, to command or empower the Lord Lieutenant, or Lords Juſtices of Ireland, or the Governors of our Plantations, to iſſue forth Proclamations for prohibiting the Exportation of all or any Corn, Grain, &c. (except as after excepted) and be it farther enacted, that if any Perſon, &c. ſhall, during the Time aforeſaid, export, or cauſe to be exported, contrary to ſuch Proclamation, Corn, Grain, &c. the ſame, together with the Ship or Veſſel, Tackle, &c. ſhall be forfeited, and the Perſon ſo offending ſhall

"Provided that this Act do not extend to prohibit ſuch Corn, Proviſions, &c. put on board and exported in his Majeſty's Ships or Privateers, neceſſary for their Compliment, Voyage, and Expedition which they ſhall be going upon. This Act to continue in Force until and from thence till next Seſſion of Parliament" B]

"That no Perſon before the 25th of December 1741, ſhall directly or indirectly export from Great Britain or Ireland, or other his Majeſty's Dominions in Europe, or the Britiſh Plantations, or load on board any Ship or Veſſel, in order for Exportation, any Sort of Corn or Grain (Rice excepted) Meal, Malt, Flour, Bread, Biſcuit, Starch, Beef, Pork, or Bacon, whether the Produce or not of the reſpective Countries, under the Penalties and Forfeitures hereafter mentioned, that is, all Corn, &c. ſo put on board to be exported ſhall be forfeited, and the Offender ſhall forfeit 20 s. for every Buſhel of Grain, and 1 s. for every Pound of Bread, Biſcuit,

Biſcuit, Starch, Beef, Pork, or Bacon, and alſo the Ship, Veſſel, Boat, Guns and Tackle to be forfeited, one Moiety to the King, and the other to him who ſhall ſue for the ſame; and all Perſons convicted of aiding willingly therein, to be impriſoned for three Months without Bail.

"1. And be it further enacted by, &c. That the Officers of the Cuſtoms may ſeize the Corn, Meal, &c. not allowed to be exported, which they ſhall find put on board any Ship to be carried to the next Cuſtom-houſe or King's Warehouſe.

"2. Provided that this Act extend not to prohibit the Exportation or carrying out of ſuch or ſo much of the ſaid Commodities as is neceſſary for any Ship, &c. in their reſpective Voyages, for the Suſtenance, &c. of the Commanders, Mariners, or Paſſengers, of ſuch Veſſels only; or for the victualing any Ships in his Majeſty's Service, or his Forts or Garriſons.

"3. Provided that this Act extend not to prohibit the ſaid Commodities to be carried Coaſtwiſe, giving Security, and having a Certificate (or Permit) to be returned in ſix Months.

"4. Provided that nothing herein contained extend to prohibit the exporting of Corn, &c. from the Plantations to Great Britain or Ireland, or from Ireland to Great Britain, or *vice verſa*, on Security Bonds and returning Certificates.

"5. Provided this Act extend not to ſuch Commodities exported from Great Britain or Ireland, or our Plantations, to Minorca, Gibraltar, or our Forts or Factories in Africa, or Colonies in America, ſuch Place to be declared by the Exporter, and Bond given of treble Value to the Cuſtom Houſe or Naval Officer, that they ſhall not be ſold or landed in any other Part; which, if not proſecuted in three Years, to be void. That ſuch Collector or Naval Officer, when the ſame ſhall be landed, give Certificate to be returned to ſuch Officer, within the Time after mentioned, as took the Security, Danger of the Sea excepted. Forger of a Certificate to forfeit 200 *l.* or any Officer making out a falſe Certificate to forfeit that Sum and loſe Employment.

"6. Provided, that it ſhall not extend to hinder the Eaſt-India Company from ſending Stores to their Factories on Security given.

"7. Provided, that it ſhall not extend to Wheat, Malt, or Barley, exported from Southampton only to Jerſey or Guernſey, on Security, &c. ſo that it do not exceed five thouſand Quarters from December the 1ſt, 1740, to December the 25th, 1741.

"8. Be

" 8. Be it enacted, that the Governor of Jamaic
powered to intruſt any Perſon of Reputation to ex
viſions to the Bays of Honduras and Campechy,
ceeding 60 Barrels, 200 Weight each, in one
Bond (with one Security) of 500 *l.* that it be for t
nance of his Majeſty's Subjects in the ſaid Bays;
Maſter and two of his Officers making Oath of fu
very ſhall be a Diſcharge of the Bond.

" 9. Be it further enacted, that the Commiſſion
Cuſtoms ſhall give a full and true Account to bot
at the Beginning of next Seſſions, of all Grain, Me
Flour, Bread, Biſcuit, Starch, Beef, Pork and Ba
ported by Virtue of the Liberties hereby granted
Purpoſe.

" 10. Provided this Act do not extend to Malt
for Exportation before the 6th of December 174
Proviſions cleared out in Great Britain, before Dec
25th, 1740, or in Ireland before Jan. 10. 1740-1,
tations before March the 25th. 1741, but that ſuch
be permitted to proceed on their Voyages."

On a Motion for bringing in a Bill, for the bett
ing and paving the Streets of Weſtminſter, and the
thereof, the Lord Viſcount Tyrconnel expreſſed hi
Subſtance as follows:

SIR,

Lord Tyrconnel. ' Tho' the Grievance which I am about to lay be
Houſe, is not of the moſt formidable or dangerous k
as it is ſuch as grows every Day greater, and ſuch a
Day endangers the Lives of Thouſands, I hope it
be thought uſeleſs or improper to propoſe it to the
ration of this Aſſembly, to offer my Thoughts on t
thods by which it may be moſt eaſily removed, and t
vour to incite others to the ſame Conſiderations.

' It is impoſſible, Sir, to come to this Houſe, or r
from it, without Obſervations on the preſent Cond
the Streets of Weſtminſter; Obſervations forced upo
Man, however inattentive, or however engroſſed by
tions of a different kind.

' The warmeſt Zeal for public Happineſs, the mo
ous Vigilance againſt general Dangers, muſt, I believe
times give way to Objects immediate, tho' of leſs
tance, nor will the moſt public-ſpirited Members der
they have often been in the Streets alarmed with
tions, or ſhocked with Nuſances.

' The Filth, Sir, of ſome Parts of the Town,
Inequality and Ruggedneſs of others, cannot but

Eyes of Foreigners diſgrace our Nation, and incline them to imagine us a People, not only without Delicacy, but without Government, a Herd of Barbarians, or a Colony of Hottentots.

'The moſt diſguſting Part of the Character given by Travellers, of the moſt Savage Nations, is their Neglect of Cleanlineſs, of which, perhaps, no Part of the World affords more Proofs, than the Streets of the Britiſh Capital; a City famous for Wealth, Commerce, and Plenty, and for every other kind of Civility and Politeneſs, but which abounds with ſuch Heaps of Filth, as a Savage would look on with Amazement.

'If that be allowed which is generally believed, that Putrefaction and Stench are the Cauſes of peſtilential Diſtempers; the Removal of this Grievance, may be preſſed from Motives of far greater Weight than thoſe of Delicacy and Pleaſure, and I might ſolicite the timely Care of this Aſſembly, for the Preſervation of innumerable Multitudes, and intreat thoſe, who are watching againſt ſlight Misfortunes, to unite their Endeavours with mine, to avert the greateſt and moſt dreadful of Calamities.

'Not to dwell, Sir, upon Dangers, which may perhaps be thought only imaginary, I hope it will be at leaſt conſidered, how much the preſent Neglect of the Pavement is detrimental to every Carriage, whether of Trade or Pleaſure, or Convenience, and that thoſe who have allowed ſo much of their Attention to Petitions, relating to the Roads of the Kingdom, the Repair of ſome of which is almoſt every Seſſion thought of Importance ſufficient to produce Debates in this Houſe, will not think the Streets of the Capital alone unworthy of their Regard.

'That the preſent Neglect of cleanſing and paving the Streets, is ſuch as ought not to be borne, that the Paſſenger is every where either ſurprized and endangered by unexpected Chaſms, or offended and obſtructed by Mountains of Filth, is well known to every one, that has paſſed a ſingle Day in this great City; and that this Grievance is without Remedy, is a ſufficient Proof, that no Magiſtrate has at preſent Power to remove it; for every Man's private Regard to his own Eaſe and Safety, would incite him to exert his Authority on this Occaſion.

'I humbly propoſe therefore, that a Bill may be brought into the Houſe, to enable his Majeſty's Juſtices of Peace for the Liberties of Weſtminſter, to inſpect the public Ways of this City, and puniſh the Neglect of cleanſing and paving them; or that a new Officer be appointed, and veſted with full Authority for the ſame Purpoſe.'

Mr. Sandys.

SIR,

Mr. Sandys. 'I believe the Grievance, ſo much complained of by the Right Honourable Member, is not difficult to be removed without a new Act of the Legiſlature, being, perhaps, more properly to be imputed to the Negligence of the Juſtices, than a Defect of their Authority; for they have already ſufficient Power to regulate this Diſorder: And I may be allowed to hope, Sir, that they do not want Leiſure to obſerve it, for their Number is ſo great, that if we ſuppoſe them to be wholly engaged by the common Buſineſs of their Office, a Foreigner would have Occaſion of reproaching us with Defects more important than want of Delicacy, and might juſtly cenſure us as a People corrupt, beyond the common Rate of human Wickedneſs, a Nation divided only into two Claſſes, Magiſtrates and Criminals.

'But they, in reality, abound ſo much among us, that moſt of them are only nominal Magiſtrates, veſted with Authority, which they never exert, or exert to bad Purpoſes, and which it were well if they were obliged to employ in the real Service of their Country, by ſuperintending the Paviours and the Scavengers.

'For this Reaſon it is unneceſſary to erect a new Officer, as an Inſpector of our Streets, ſince every Office that is not neceſſary is pernicious: Were Conſequences of this Grievance ſuch as they have been repreſented, I ſhould perhaps willingly erect a new Office, though I ſhould not be ſurpriſed to hear the wiſeſt Man declare, rather for a Peſtilence than an Increaſe of Officers.

'As I neither think the Grievance inſupportable, nor the Methods propoſed for removing it neceſſary or proper, I declare myſelf againſt the Motion.

Lord Gage.

SIR,

Lord Gage. 'As the Grievance cannot be denied to be real, and the Motion therefore may reaſonably be imagined to have been made without any other Intention than of benefiting the Public by an uſeful Law, I cannot diſcover any ſufficient Reaſon for a Rejection ſo peremptory and contemptuous.

That every Man is diſguſted, and almoſt every Man daily endangered in our Streets, has not been denied, nor will any Man, I ſuppoſe, queſtion what, if he has not yet experienced it, he may perhaps be fully convinced of, in his next Viſit or Excurſion.

'Thoſe Evils, which every Man feels, though ſlight, are worthy of the Attention of the Legiſlature, and that Danger

that

that threatens Multitudes, though diſtant, ought to be averted; for a ſmall Diſorder, like a ſmall Expence, when it extends to Multitudes, becomes a national Affair.

'But though this Motion may perhaps be liable to ſome Objections, there is certainly no ſuch Abſurdity to be found in it, as may juſtify us in rejecting it without Examination; to reject a Motion when it is firſt offered, is a Proof of Prejudice, next to that of rejecting it unheard; it is to determine a Queſtion, before it is diſcuſſed or can be fully underſtood.'

Mr. Sandys.

SIR,

'I cannot but differ very widely in Opinion from the Right Honourable Member that ſpoke laſt, with regard to the Propriety of oppoſing a Motion, when it is firſt made; a Practice, which I can by no Means think inconſiſtent with either Decency or Prudence, and which would perhaps be of Uſe to the Public, if it was more frequent. Mr. Sandys.

'When any Motion is made, it is ſubjected to the Conſideration of this Houſe, and every Member is at full Liberty to examine and diſcuſs it. If it appears to deſerve farther Attention, it may be admitted; but if the Subject be either improper or unſeaſonable, or the Meaſures propoſed injudicious or dangerous, it is then to be rejected; and if it is at laſt to be rejected, it is apparent, that no Time ought to be thrown away upon it.

'The Hours, and Days, and Weeks, that have been unprofitably ſpent upon Bills, which after all our Endeavours could not be paſſed; the Delays of real Benefits to the Public, which have been produced by long Purſuits of ſhadowy Advantages, have inclined me to a more expeditious Method of proceeding, and determined me ſpeedily to reject what I cannot hope to amend.'

The Queſtion being put, it paſſed in the Negative, 142 againſt 109

Two diſtinct Accounts having been made public of the important Debates upon the Mutiny Act, and the Seamen's Bill, and it being difficult to decide which is the moſt authentic, we have thought it our Duty to make the Reader his own Judge by inſerting both.

The firſt on the Mutiny Bill is to be found Page 123: And that on the Seaman's Bill, Page [illegible], 199, 236, 463.

And the laſt are as follow. In a Committee for the Conſideration of the Bill for the Puniſhment of Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, &c. Sir William Yonge, deſired that the 20th and

and 26th Clauſes of the late Act might be read, which were read as follows:

XX.

"It is hereby enacted, that the Officers and Soldiers, ſo quartered and billeted, ſhall be received by the Owners of the Inns, Livery Stables, Ale-houſes, Victualling Houſes, and other Houſes, in which they are allowed to be quartered and billeted by this Act; and ſhall pay ſuch reaſonable Prices as ſhall be appointed from time to time by the Juſtices of the Peace in their General and Quarter Seſſions of each County, City, or Diviſion, within their reſpective Juriſdictions: And the Juſtices of the Peace aforeſaid are hereby empowered and required to ſet and appoint, in their General and Quarter Seſſions aforeſaid, ſuch reaſonable Rates for all neceſſary Proviſions for ſuch Officers and Soldiers, for one or more Nights, in the ſeveral Cities, Towns, Villages, and other Places, which they ſhall come to in their March, or which ſhall be appointed for their Reſidence and Quarters."

XXVI.

"That the Quarters both of Officers and Soldiers in Great Britain may be duly paid and ſatisfied, be it enacted, that every Officer, to whom it belongs to receive the Pay or Subſiſtence Money, either for a whole Regiment, or particular Troops and Companies, ſhall immediately, upon each Receipt of every particular Sum, on Account of Pay or Subſiſtence, give public Notice thereof to all Perſons keeping Inns, or other Places where Officers and Soldiers are quartered by Virtue of this Act: Alſo appoint them and others to repair to their Quarters within four Days at the fartheſt after the Receipt of the ſame, to declare the Accounts or Debts (if any ſhall be) between them, and the Officers and Soldiers quartered in their reſpective Houſes; which Accounts the ſaid Officer or Officers are hereby required immediately to diſcharge, before any Part of the ſaid Pay or Subſiſtence be diſtributed to the Officers or Soldiers: Provided the ſaid Accounts exceed not for a Commiſſion Officer of Horſe, under a Captain, for one Day's Diet and Small Beer, Two Shillings; for one Commiſſion Officer of Dragoons under a Captain one Shilling, for one Commiſſion Officer of Foot under a Captain, one Shilling; and for Hay and Straw, for one Horſe, Six Pence; for one Dragoon or Light Horſeman's Diet and Small Beer, each Day Six Pence, and Hay and Straw for his Horſe, Six Pence; and alſo not to exceed Four Pence a Day, for one Foot Soldier's Diet and Small Beer."

He

He then ſpoke to the following Effect.

SIR,

Sir William Yonge.

'Whether there is any real Difficulty in the Clauſes which you have now heard read, or whether there are ſuch Paſſages as may be eaſily underſtood by thoſe who have no Intereſt to miſtake them, and which are only clouded by an artificial Obſcurity, whether they are in themſelves capable of different Meanings, or whether Avarice or Poverty have produced unreaſonable Interpretations, and found Ambiguities only becauſe they were determined not to be diſappointed in their Search; whether this Law is diſobeyed, becauſe it is miſunderſtood, or only miſunderſtood by thoſe who had reſolved to diſobey it, the Committee muſt determine.

'It has been for many Years underſtood that Innholders, and Keepers of Public Houſes were obliged by this Law to ſupply Soldiers quartered upon them with Diet and Small Beer, and Hay and Straw for their Horſes, at ſuch Rates as are mentioned in the Act; nor can I diſcover that theſe Clauſes admit of any other Interpretation, or that any other could be intended by the Senate by which it was enacted.

'The Pay of the Soldiers, Sir, was well known to thoſe who gave their Conſent to this Law, it was intended by them that the Soldiers ſhould be ſupplied with Neceſſaries, and it could not be meant that they ſhould pay for them more than they received; they therefore eſtabliſhed the Rate at which they were to be furniſhed, and fixed the higheſt Rate which the Wages of a Soldier allow him to pay.

'This Interpretation was, as I ſuppoſe, from its apparent Conſonance to Reaſon, univerſally allowed, till the Inhabitants of Ledbury, whither Soldiers had been ſent to ſuppreſs a Riot and enforce the Laws, found their Apprehenſions ſo ſharpen'd by their Malice, that they diſcovered in the Act an Ambiguity, which had, till that Time, eſcaped the Penetration of the moſt Sagacious; and, upon Compariſon of one Circumſtance with another, found themſelves under no Obligation to give any Aſſiſtance to the Soldiers.

'They therefore, Sir, not only refuſed to afford them Victuals at the accuſtomed Rates, but proceeding from one Latitude of Interpretation to another, at length denied them not only the Privilege of Diet, but the Uſe of Kitchen Utenſils, to dreſs the Proviſions, which they bought for themſelves, and at laſt denied their Claim to the Fire itſelf.

'The Soldiers, exaſperated not only at the Breach of their eſtabliſhed and unconteſted Privileges, but at the Privation of the Neceſſaries of Life, began to think of Methods more ſpeedy and efficacious than thoſe of Arguments and Remonſtrances.

Remonſtrance, and to form Reſolutions of procuring by Force what, in their Opinions, was only by Force withheld from them.

'What might have been the Event of this Controverſy, to what Extremities a Conteſt about Things ſo neceſſary might have been carried, how wide the Conteſt might have ſpread, or how long it might have laſted, we may imagine, but cannot determine; had not a ſpeedy Deciſion been procured, its Conſequences might have been fatal to Multitudes, and a great Part of the Nation been thrown into Confuſion.

'Having received an Account of the Affair from the Officers who commanded at that Place, I conſulted the Attorney General what was the Deſign of the Law, and the Extent of the Obligation enforced by it, and was anſwered by him, that the Sums which were to be paid for the Diet of the Men, and the Hay and Straw for the Horſes being ſpecified, it muſt neceſſarily be intended, by the Legiſlature, that no higher Rates ſhould be demanded;—that the Power granted to the Juſtices of Peace was wholly in favour of the Soldier, and that they might leſſen the Payment at Diſcretion in Places of uncommon Cheapneſs, or Years of extraordinary Plenty, but could not increaſe it on any Occaſion.

'Another Diſpute, Sir, of the like Nature was occaſioned by the late Scarcity at Wakefield, where the Juſtices, upon the Application of the Inn-keepers, made uſe of the Authority which they ſuppoſed to have been repoſed in them by the Act, and raiſed the Price of Hay and Straw to Eightpence, which the Soldiers were not able to pay, without ſuffering for Want of Victuals.

'On this Occaſion likewiſe I was apply'd to, and upon conſulting the preſent Attorney-General, received the ſame Anſwer as before; and tranſmitting his Opinion to the Place from whence I received the Complaint, it had ſo much Regard paid to it, that the additional Demand was thence forward remitted.

'The Letters which theſe two learned Lawyers ſent to me on this Subject I have now in my Hand; and hope their Opinion will be thought ſufficient Authority for the Interpretation of an Act of Parliament.

'Nor is their Authority, Sir, however great, ſo ſtrong a Proof of the Juſtneſs of this Interpretaion, as the Reaſonableneſs, or rather Neceſſity of admitting it. The only Argument that can be produced againſt it, is the Hardſhip impoſed by it on the Innholder, who, as it is objected, muſt be obliged by the Law, ſo underſtood, to furniſh the Soldiers with Proviſions for a Price at which he cannot afford them.

'But

'But let it be conſidered, how much more eaſily the Landlord can furniſh them at this Price, than they can provide for themſelves, and the Difficulty will immediately vaniſh. If Soldiers are neceſſary, they muſt neceſſarily be ſupported, and it appears, upon Reflection, that their Pay will not ſupport them by any other Method.

'If they are obliged to buy their Victuals, they muſt likewiſe buy Fire and Implements to dreſs them; and what is ſtill a greater Hardſhip, they muſt ſell them, and buy new, at every Change of their Quarters: If this is impoſſible, it will be allowed not to be the Meaning of the Houſe, upon whoſe Wiſdom it would be a Cenſure too ſevere to ſuppoſe them capable of enacting Impoſſibilities.

But to the Inn-holder, Sir, whoſe Utenſils are always in Uſe, and whoſe Fire is always burning, the Diet of a Soldier coſts only the original Price paid to the Butcher, and in Years of common Plenty may be afforded without Loſs, at the Price mentioned in the Act. It cannot, indeed, be denied that, at preſent, every Soldier is a Burthen to the Family on which he is quartered, in many Parts of the Kingdom; but it may be reaſonably hoped, that the preſent Scarcity will quickly ceaſe, and that Proviſions will fall back to their former Value; and even, amidſt all the Complaints, with which the Severity and Irregularity of the late Seaſons have filled the Nation, there are many Places where Soldiers may be maintained at the ſtated Rates, with very little Hardſhip to their Landlords.

'However, Sir, as this Interpretation of the Act, tho' thus ſupported both by Authority and Reaſon, has been diſputed and denied, as ſome Lawyers may be of a different Opinion from thoſe whom I have conſulted, and as it is not likely that the Practice thus interrupted will now be complied with as a Preſcription, I think it neceſſary to propoſe that the Price of a Soldier's Diet be more explicitly aſcertained, that no room may remain for future Controverſies.'

Mr. Sandys.

SIR,

'I am very far from thinking the Authority of theſe learned Gentlemen, whoſe Letters are produced, incontrovertable Proof of the Juſtneſs of an Interpretation of an Act of the Houſe, where that Interpretation is not in itſelf warranted by Reaſon, nor conſiſtent with the Preſervation, or Enjoyment of Property. Much leſs ſhall I agree to ſupport their Interpretation by a new Law, or eſtabliſh, by an Act of the Legiſlature, a kind of Oppreſſion, for which, however tacitly

Mr. Sandys.

tacitly ſubmitted to, nothing could be pleaded hitherto but Cuſtom.

'The Burthen, Sir, of a Standing-Army, is already too heavy to be much longer ſupported, nor ought we to add Weight to it by new Impoſitions; it ſurely much better becomes the Repreſentatives of the Nation to attend to the Complaints of their Conſtituents, and where they are found to ariſe from real Grievances, to contrive ſome Expedient for alleviating their Calamities.

'A heavy and dreadful Calamity, Sir, lies now in a particular manner upon the People; the Calamity of Famine, one of the ſevereſt Scourges of Providence, has filled the whole Land with Miſery and Lamentation; and ſurely nothing can be more inhuman than to chuſe out this Seaſon of Horror, for new Encroachments on their Privileges, and new Invaſions of the Rights of Nature, the Dominion of their own Houſes, and the Regulation of their own Tables.

'The Honourable Gentleman, Sir, has mentioned Places where Proviſions, as he ſays, are ſtill to be bought at eaſy Rates. For my Part, I am fixed in no ſuch happy Corner of the Kingdom; I ſee nothing but Scarcity, and hear nothing but Complaints, and ſhall therefore be very far from admitting now ſuch Methods of ſupporting the Army, as were thought too burthenſome in Times of Plenty; nor will combine in laying a new Tax upon any Claſs of my Countrymen, when they are ſinking under an enormous Load of Impoſts, and in want of the Neceſſaries of Life.'

Sir William Yonge.

SIR,

Sir William Yonge.

'Nothing is more eaſy than Outcry and Exaggeration, nor any thing leſs uſeful for the Diſcovery of Truth, or the Eſtabliſhment of Right. The moſt neceſſary Meaſures may often admit of very florid Exclamations againſt them, and may furniſh very fruitful Topics of Invective.

'When our Liberties, Sir, are endangered, or our Country invaded, it may be very eaſy, when it is propoſed that we ſhould have Recourſe to our Swords for Security, to bewail in pathetic Language the Miſeries of War, to deſcribe the Deſolation of Cities, the Waſte of Kingdoms, the Inſolence of Victory, and the Cruelty of Power inflamed by Hoſtilities. Yet to what will thoſe Repreſentations contribute, but to make that difficult which yet cannot be avoided, and embarraſs Meaſures which muſt however be purſued.

'Such, Sir, appear to me to be the Objection made to the Method now propoſed of providing Neceſſaries for the Soldiers, Methods not eligible for their own ſake, but which ought

ought not to be too loudly condemned, till ſome better can be ſubſtituted. For why ſhould the Public be alarmed with groundleſs Apprehenſions, or why ſhould we make thoſe Laws which our Affairs oblige us to enact, leſs agreeable to the People by partial Repreſentations?

'In the Diſcuſſion of this Queſtion, Sir, it is to be conſidered whether Soldiers are to be ſupported, and whether it will be more proper to maintain them by the Method of aſcertaining the Rates at which they are to be ſupplied, or by increaſing their Pay.

'One of theſe two ways it is neceſſary to take; the Proviſions are already fixed at as high a Price as their Pay will allow; if, therefore, they are expected to pay more, their Wages muſt be increaſed.

'For my Part I ſhall comply with either Method, tho' I cannot but think it my Duty to declare, that, in my Opinion, it is ſafer to fix the Price of Proviſions, which muſt ſink in their Value, than to raiſe the Pay of the Army, which may never afterwards be reduced.'

Mr. Gybbon.

SIR,

'I agree, Sir, with the Honourable Gentleman, that if Soldiers are neceſſary, we muſt make Proviſions for their Support. This is indiſputably certain; but it is no leſs certain, that where Soldiers are neceſſary, Reſtraints and Regulations are neceſſary likewiſe, to preſerve thoſe from being inſulted and plundered by them, who maintain them for the ſake of Protection. Mr Gybbon.

'The Uſefulneſs, Sir, of this Caution ſeems not to be known, or not regarded by the Gentlemen whoſe Propoſal gave Occaſion to this Debate; for by enacting Laws in general Terms, as he ſeems to adviſe, we ſhould leave the unhappy Inn-keeper wholly at the Mercy of his Gueſts, who might plunder and inſult him under the Protection of the Legiſlature, might riot as in a conquered Country, and ſay—To this Treatment you are ſubjected by the Determination of the Parliament.

'The unhappy Man, Sir, could have no Proſpect either of Quiet or Safety, but by gratifying all the Expectations of returning Civilities for Inſolence, and receiving their Commands with the ſame Submiſſion that is paid in capitulating Towns to the new Garriſon.

'If it be neceſſary to aſcertain the Price, is it not neceſſary at the ſame time to aſcertain the Species and Quantity of Proviſions to be allowed for it? Is a Soldier to fatten on Delicacies, and to revel in Superfluities, for 4d. a Day? Ought

not ſome Limits to be ſet to his Expectations, and ſome Reſtraints preſcribed to his Appetite? Is he to change his Fare with all the Capriciouſneſs of Luxury, and relieve, by Variety, the Squeamiſhneſs of Exceſs?

'Such Demands as theſe, Sir, may be thought ludicrous and trifling, by thoſe who do not reflect on the Inſolence of Slaves in Authority, who do not conſider that the Licenſe of a Military Life is the chief Inducement that brings Volunteers into the Army; an Inducement which would, indeed, make all Impreſſes ſuperfluous, were this Propoſal to be adopted. For how readily would all the Lazy and Voluptuous engage in a State of Life which would qualify them to live upon the Labour of others, and to be profuſe without Expence?

'Our Army may by this Method be increaſed; but the Number of thoſe by whom they are to be maintained, muſt quickly diminiſh. For by Exaction and Oppreſſion the poorer Inn-keepers muſt quickly become Bankrupts, and the Soldiers that loſe their Quarters, muſt be added to the Dividend allotted to the more wealthy, who by this additional Burden will ſoon be reduced to the ſame State, and then our Army muſt ſubſiſt upon their Pay, becauſe they will no longer have it in their Power to increaſe it by Plunder.

'It will then be inevitably neceſſary to divide the Army from the reſt of the Community, and to build Barracks for their Reception; an Expedient, which, tho' it may afford preſent Eaſe to the Nation, cannot be put in Practice without Danger to our Liberties.

'The Reaſon, for which ſo many Nations have been enſlaved by Standing-Armies, is nothing more than the Difference of a Soldier's Condition from that of other Men. Soldiers are governed by particular Laws, and ſubject to particular Authority; Authority, which, in the manner of its Operation, has ſcarcely any Reſemblance of the Civil Power. Thus they ſoon learn to think themſelves exempt from all other Laws; of which, they either do not diſcover the Uſe, and therefore eaſily conſent to aboliſh them; or envy the Happineſs of thoſe who are protected by them, and ſo prevail upon themſelves to deſtroy thoſe Privileges which have no other Effect, with regard to them, but to aggravate their own Dependence.

'Theſe Sir, are the natural Conſequences of a military Subjection; and theſe Conſequences are not always ſpeedily produced; but they muſt be retarded by that Tenderneſs which ſocial Intercourſe with the reſt of the Nation produces, by the Exchange of reciprocal Acts of Kindneſs, and by the frequent Inculcation of the Wickedneſs of contributing

tributing to the Propagation of Slavery, and the Subverſion of the Rights of Nature; Inculcations which cannot be avoided by Men who live in conſtant Fellowſhip with their Countrymen.

'But Soldiers ſhut up in a Barrack, excluded from all Converſation with ſuch as are wiſer and honeſter than themſelves, and taught that nothing is a Virtue but implicit Obedience to the Commands of their Officers, will ſoon become Foreigners in their own Country, and march againſt the Defenders of their Conſtitution, with the ſame Alacrity as againſt an Army of Invaders ravaging the Coaſts; they will loſe all Senſe of ſocial Duty and of ſocial Happineſs, and think nothing illuſtrious but to enſlave and deſtroy.

'So fatal, Sir will be the Effects of an Eſtabliſhment of Barracks, or petty Garriſons in this Kingdom; and therefore, as Barracks muſt be built when Inn-keepers are ruined, and our Concurrence with this Propoſal muſt produce their Ruin, I hope it will not be neceſſary to prove by any other Argument, that the Motion ought to be rejected.'

Mr. Henry Pelham.

SIR,

'Tho' I am not inclined by loud Exaggerations and affected Expreſſions of Tenderneſs to depreſs the Courage, or inflame the Suſpicions of the People, to teach them to complain of Miſeries which they do not feel, or ward againſt ill Deſigns which were never formed, yet no Man is more really ſollicitous for their Happineſs, or more deſirous of removing every real Cauſe of Fear and Occaſion of Hardſhips. Mr Henry Pelham.

'This Affection to the People, an Affection ſteady, regular and unſhaken, has always prompted me to prefer their real to their ſeeming Intereſt, and rather to conſult the Security of their Privileges than the Gratification of their Paſſions; it has hitherto determined me to vote for ſuch a Body of Troops as may defend us againſt ſudden Inroads and wanton Inſults, and now incites me to propoſe that ſome efficacious Method may be ſtruck out for their Support, without exaſperating either the Soldiers or their Landlords by perpetual Wrangles, or adding to the Burden of a military Eſtabliſhment the Neceſſity of Contentions in Courts of Law.

'I know not with what View thoſe have ſpoken by whom the Propoſal firſt made has been oppoſed; they have indeed propoſed Objections, ſome of which are ſuch as may be eaſily removed, and others ſuch as ariſe from the Nature of Things, and ought not therefore to be mentioned, becauſe they have no other Tendency than to enflame the Minds of thoſe that hear them againſt an Army, at a Time when it is

allowed to be neceſſary, and prove only what was never denied, that no human Meaſures are abſolutely perfect, and that it is often impoſſible to avoid a greater Evil, but by ſuffering a leſs.

'The Queſtion before us, Sir, is in its own Nature ſo ſimple, ſo little connected with Circumſtances that may diſtract our Attention, or induce different Men to different Conſiderations, that, when I reflect upon it, I cannot eaſily conceive by what Art it can be made the Subject of long Harangues, or how the moſt fruitful Imagination can expatiate upon it.

'It is already admitted that an Army is neceſſary; the Pay of that Army is already eſtabliſhed; the accidental Scarcity of Forage and Victuals is ſuch, that the Pay is not ſufficient to maintain them; how then muſt the Deficiencies be ſupplied? It has been propoſed either to fix the Price of Proviſions with reſpect to them, or to advance their Wages in ſome Proportion to the Price of Proviſions. Both theſe Methods ſeem to meet with Diſapprobation, and yet the Army is to be ſupported.

'Thoſe who reaſon thus, do ſurely not expect to be anſwered, or at leaſt expect from a Reply no other Satisfaction than that of ſeeing the Time of the Seſſion waſted, and the Adminiſtration harraſſed with trivial Delays, for what can be urged with any Hope of Succeſs to him who will openly deny contradictory Propoſitions, who will neither move nor ſtand ſtill, who will neither diſband an Army nor ſupport it.

'Whether theſe Gentlemen conceive that an Army may ſubſiſt without Victuals till the Time of Scarcity is over, or whether they have raiſed thoſe Forces only to ſtarve them, I am not ſagacious enough to conjecture; but ſhall venture to obſerve, that if they have ſuch a Confidence in the Moderation and Regularity of the Soldiers, as to imagine that they will ſtarve with Weapons in their Hands, that they will live within the Sight of full Tables, and languiſh with Hunger, and periſh for want of Neceſſaries, rather than diminiſh the Superfluities of others, they ought for ever to ceaſe their Outcries about the Licentiouſneſs, Inſolence, and Danger of a Standing-Army.

'But, not to ſink into Levity unworthy of this Aſſembly, may I be permitted to hint that theſe Arts of protracting our Debates, are by no Means conſiſtent with the Reaſons for which we are aſſembled, and that it is a much better Proof, both of Ability and Integrity, to remove Objections, than to raiſe them, and to facilitate, than to retard, the Buſineſs of the Public?

'The

' The Propoſal made at firſt was only to elucidate a Law which had been regularly obſerved for fifty Years, and to remove ſuch Ambiguities as tended only to embarraſs the Innholders, not to relieve them.

' To this many Objections have been made, and much Declamation has been employed to diſplay the Hardſhips of maintaining Soldiers, but no better Method has been yet diſcovered, nor do I expect that any will be ſtarted, not attended with greater Difficulties.

' In all political Queſtions, Queſtions too extenſive to be fully comprehended by ſpeculative Reaſon, Experience is the Guide which a wiſe Man will follow with the leaſt Diſtruſt, and it is no trivial Recommendation of the preſent Method, that it has been ſo long purſued without any formidable Inconvenience or loud Complaints.

' Hardſhips, even when real, are alleviated by long Cuſtom; we bear any preſent Uneaſineſs with leſs Regret, as we leſs remember the Time in which we were more happy; at leaſt by long Acquaintance with any Grievance we gain this Advantage, that we know it in its whole Extent, that it cannot be aggravated by our Imagination, and that there is no room for ſuſpecting that any Miſery is yet behind more heavy than that which we have already borne.

' Such is the Preſent State of the Practice now recommended to this Aſſembly, a Practice to which the Inn keepers have long ſubmitted, and found it at leaſt tolerable; to which they knew themſelves expoſed when they took out a Licenſe for the Exerciſe of that Profeſſion, and which they conſider as a Tax upon them, to be balanced againſt the Advantages which they expect from their Employment.

' This Tax cannot be denied at preſent to be burthenſome in a very uncommon Degree; but this Weight has not been of long Continuance, and it may be reaſonably hoped that it will now be made every Day lighter. It is indeed true, that no unneceſſary Impoſitions ought to be laid upon the Nation even for a Day, and if any Gentleman can propoſe a Method by which this may be taken off or alleviated, I ſhall readily comply with his Propoſal, and concur in the Eſtabliſhment of new Regulations.

' With regard to Barracks I cannot deny that they are juſtly Names of Terror to a free Nation, that they tend to make an Army ſeem part of our Conſtitution, and may contribute to infuſe into the Soldiers a Diſregard of their Fellow Subjects, and an Indifference about the Liberties of their Country; but I cannot diſcover any Connection between a Proviſion for the Support of the Soldiers in Public Houſes, in a State of conſtant Familiarity with their Countrymen, and

and the Erection of Barracks, by which they will be, perhaps, for ever, ſeparated from them, nor can diſcover any Thing in the Method of ſupporting them now recommended that does not tend rather to the Promotion of mutual good Offices and the Confirmation of Friendſhip and Benevolence.

Mr. Campbell.

SIR,

Mr. Campbell. 'Whence the Impropriety of raiſing Objections to any Meaſures that are propoſed is imagined to ariſe I am unable to diſcover, having hitherto admitted as an uncontrovertible Opinion, that it is the Duty of every Member of this Houſe to deliver, without Reſerve, his Sentiments upon any Queſtion which is brought before him, and to approve or cenſure according to his Conviction.

'If it be his Duty, Sir, to condemn what he thinks dangerous or inconvenient, it ſeems by no means contrary to his Duty, to ſhew the Reaſon of his Cenſure, or to lay before the Houſe thoſe Objections which he cannot ſurmount by his own Reflection. It certainly is not neceſſary to admit implicitly all that is aſſerted; and to deny or diſapprove without Reaſon, can be no Proof of Duty, or of Wiſdom; and how ſhall it be known, that he who produces no Objections, acts from any other Motives, than private Malevolence, Diſcontent, or Caprice?

'Nor is it, Sir, to be imputed as a juſt Reaſon for Cenſure to thoſe who have oppoſed the Motion, that no other Meaſures have been offer'd them to the Conſideration of the Committee. It is neceſſary to demoliſh a uſeleſs or ſhattered Edifice, before a firm and habitable Building can be erected in its Place; the firſt Step to the Amendment of a Law is to ſhew its Defects; for why ſhould any Alteration be made where no Inconveniency is diſcovered?

'To the chief Objection that was offered, no Anſwer has yet been made, nor has the Houſe been informed how the Inn-keeper ſhall be able to diſcover when he has paid the Tax which this Law lays upon him. This is indeed a Tax of a very particular Kind, a Tax without Limits, and to be levied at the Diſcretion of him for whoſe Benefit it is paid. Soldiers, quartered upon theſe Terms, are more properly raiſing Contributions in an Enemy's Country, than receiving Wages in their own.

'Is it intended by this Motion, that the Inn keepers ſhall judge what ought to be allowed the Soldier for his Money? I do not ſee then that any Alteration is propoſed in the preſent Condition of our Army, for who has ever refuſed to ſell them Food for their Money at the common Price, or

what

what Neceſſity is there for a Law to enforce a Practice equally to the Advantage of all Parties? If it be propoſed that the Soldier ſhall judge for himſelf, that he ſhall ſet what Value he ſhall think fit on his own Money, and that he ſhall be at once the Interpreter and Executioner of this new Law, the Condition of the Inn keeper will then be ſuch as no Slave in the Mines of America can envy, and ſuch as he will gladly quit for better Treatment under the moſt arbitrary and oppreſſive Government.

'Nor will the Inſolence of the Soldier, thus inveſted with unlimitted Authority, thus entitled to implicit Obedience, and exalted above the reſt of Mankind, by ſeeing his Claim only bounded by his own Moderation, be confined to his unhappy Landlord. Every Gueſt will become ſubject to his Intruſion, and the Paſſenger muſt be content to want his Dinner, whenever the Lord of the Inn ſhall like it better than his own.

'That theſe Apprehenſions, Sir, are not groundleſs, may be proved from the Conduct of thoſe Men, even when the Law was not ſo favourable to their Deſigns; ſome of them have already claimed the ſole Dominion of the Houſes in which they were quartered, and inſulted Perſons of very high Rank, and whom our antient Laws had intended to ſet above the Inſults of a turbulent Soldier. They have ſeen the Proviſions which they had ordered, taken away by Force, partly, perhaps, to pleaſe the Appetite of the Invader, and partly to gratify his Inſolence, and give him an Opportunity of boaſting among his Comrades, how ſucceſsfully he bluſtered.

'If it be neceſſary, Sir, to inſert a new Clauſe in the Act to prevent Law-ſuits, which, however advantageous they may ſometimes be to me, I ſhall always be ready to obviate, it is ſurely proper to limit the Claim of one Party as well as that of the other, for how elſe is the Ambiguity taken away? The Difficulty may be indeed transferred, but is by no means removed, and the Inn-keeper muſt wholly repoſe himſelf upon the Lenity and Juſtice of the Soldier, or apply to the Courts of Law for the Interpretation of the Act?

'The Queſtion between us, is ſaid to be ſo free from Perplexity, that it can ſcarcely give Occaſion for Harangues or Diſputations, and indeed it cannot but be allowed, that the Controverſy may ſoon be brought to a ſingle Point, and I think nothing more is neceſſary than to enquire, if Inn-holders ſhall be obliged to provide Victuals for Soldiers at a ſtated Price, what, and how much the Soldier ſhall demand.

'The Power of raiſing Money at Pleaſure, has been hitherto denied to our Kings, and ſurely we ought not to place that Confidence in the loweſt, that has been refuſed to the

moſt

other, equally rapacious, equally mercileſs, a
guiſhed from foreign Invaders, by this Circum
received from our own Hands the Authority
plunders us.

'Having thus evinced the Neceſſity of de
Soldiers Privileges, and the Inn-keepers Rig
neceſſary to recommend to this Houſe an u
gree of Attention to the Regulation of our
bliſhment, which is become not only burde
Fellow-Subjects by the preſent Famine, but by
of our Forces; an Increaſe which the Nation
hold without Impatience, unleſs they be enab
for what End they have been raiſed.

'The People of this Nation are, for very
diſpleaſed, even with the Appearance of a St
and ſurely it is not prudent to exaſperate them,
ing the Troops in a Year of Famine, and gi
the ſame Time new Powers of Extortion and C

Mr. Winnington.

SIR,

Mr. Winnington. 'I have heard nothing in this Debate, bu
Objections, which afford no real Information,
the Alleviation of thoſe Grievances which
lamented.

'It is not to point out Inconveniencies, or
ing Repreſentations of the Hardſhips to whic

' As no Remedy, Sir, has been propoſed by thoſe who appear diſſatisfied with the preſent Cuſtom, it is reaſonable to imagine, that none will be eaſily diſcovered; and therefore I cannot but think it reaſonable that the Motion ſhould be complied with. By it no new Impoſition is intended, nor any thing more than the Eſtabliſhment of a Practice which has continued for more than fifty Years, and never, except in two Occaſions, been denied to be legal. It is only propoſed that the Parliament ſhould confirm that Interpretation of the Act which has been almoſt univerſally received, that they ſhould do what can produce no Diſturbance, becauſe it will make no Alterations, but may prevent them; becauſe it may prevent any Attempts of Innovation, or Diverſity of Opinions.'

Sir John Barnard.

Sir,

' Whether the Interpretation of the Act which is now contended for, has been univerſally admitted, it is impoſſible to know; but it is at leaſt certain, that the Practice which is founded upon it, has in many Places never been followed, nor indeed can it be made general without great Impropriety. Sir John Barnard.

' Many of thoſe, Sir, who are ſtiled Keepers of Public Houſes, and on whom Soldiers are quartered under that Denomination, have no Conveniency of furniſhing Proviſions, becauſe they never ſell them: Such are many of the Keepers of Livery-Stables, among whom it is the common Method to pay Soldiers a ſmall weekly Allowance, inſtead of lodging them in their Houſes; a Lodging being all which they conceive themſelves obliged to provide, and all that the Soldiers have hitherto required; nor can we make any Alteration in this Method, without introducing the Licence and Inſolence of Soldiers into private Houſes; into Houſes hitherto unacquainted with any degree of Riot, Incivility or Uproar.

' The Reaſon for which Public-Houſes are aſſigned for the Quarters of Soldiers, is partly the greater Conveniency of accommodating them in Families that ſubſiſt by the Entertainment of Strangers, and partly the Nature of their Profeſſion, which, by expoſing them to frequent Encounters with the Rude and the Debauched, enables them either to bear or repreſs the Inſolence of a Soldier.

' But with regard, Sir, to the Perſons whom I have mentioned, neither of theſe Reaſons have any Place; they have not, from their daily Employment, any Opportunities of furniſhing Soldiers with Beds or Victuals, nor by their manner of Life are adapted to ſupport Intruſion, or ſtrug-

gle with Perverſeneſs. Nor can I diſcover why any Man ſhould force Soldiers into their Houſes, who would not willingly admit them into his own.'

Mr. Cocks.

SIR,

Ma Cocks. 'The Practice mentioned by the Honourable Gentleman, I know to be generally followed by all thoſe that keep Alehouſes in the Suburbs of this Metropolis, who pay the Soldiers billetted on them, a Compoſition for their Lodging, nor ever ſee them but when they come to receive it; ſo far are they from imagining that they can claim their whole Subſiſtence at any ſtated Price.

'It is apparent, therefore, that by admitting this Motion, we ſhould not confirm a Law already received, but eſtabliſh a new Regulation unknown to the People; that we ſhould lay a Tax upon the Nation, and ſend our Soldiers to collect it.'

General Wade.

SIR,

General Wade '*I* have been long converſant with military Affairs, and therefore may perhaps be able to give a more exact Account, from my own Knowledge, of the Antiquity and Extent of this Practice, than other Gentlemen have had, from their way of Life, an Opportunity of obtaining.

'It was, Sir, in the Reign of King William, the conſtant Method by which the Army was ſupported; as may be eaſily imagined by thoſe who reflect, that it was common for the Soldiers to remain for eight or ten Months unpaid, and that they had therefore no Poſſibility of providing for themſelves the Neceſſaries of Life. Their Pay never was received in thoſe Times by themſelves, but iſſued in Exchequer Bills for large Sums, which the Inn-keepers procured to be exchanged and divided among themſelves, in Proportion to their Debts.

'Such was the Practice, Sir, in that Reign, which has been generally followed to this Time, and the Rates then fixed have not ſince been changed; and as no Inconveniency has ariſen from this Method, I can diſcover no Reaſon againſt confirming and continuing it.'

Mr. Pulteney.

SIR,

Mr. Pulteney. 'Thoſe that have ſpoken in Defence of the Motion, have accuſed their Opponents, with great Confidence, of declaiming without Arguments, and of waſting the Time of the Seſſion, in a uſeleſs Repetition of Objections.

'I do not indeed wonder, that the Objections which have been raiſed ſhould have given ſome Diſguſt; for who can be pleaſed with hearing his Opponent produce Arguments which he cannot anſwer? But ſurely the Repetitions may be excuſed: For an Objection is to be urged in every Debate till it is anſwer'd, or is diſcovered to be unanſwerable.

'But what, Sir, have thoſe urged in Defence of their own Opinions, who ſo freely animadvert upon the Reaſonings of others? What Proofs, Sir, have they given of the Superiority of their own Abilities, of the Depth of their Reſearches, or the Acuteneſs of their Penetration?

'They have not produced one Argument in Favour of their Motion, but that it is founded on Cuſtom; they have not diſcover'd, however wiſe and ſagacious, that it is always neceſſary to enquire whether a Cuſtom be good or bad; for, ſurely, without ſuch Enquiry no Cuſtom ought to be confirmed.

'The Motion which they would ſupport, is indeed uſeleſs in either Caſe; for a good Cuſtom will continue of itſelf, and one that is bad ought not to be continued. It is the Buſineſs of the Legiſlature to reform Abuſes, and eradicate Corruptions; not to give them new Strength by the Sanction of a Law.

'It has been urged, Sir, that the Law in reality exiſts already; that the Act has been interpreted in this Senſe, by the Attorney General; and that his Interpretation is generally received. This is then the State of the Queſtion; If the Practice, founded upon this Senſe of the Act, generally prevails, there is no Need of a new Clauſe to enforce what is already complied with: If it does not prevail, all that has been urged in Defence of the Motion falls to the Ground.

'I do not doubt, Sir, that this Cuſtom has been received without many Exceptions, and therefore think it ought ſtill to remain a Cuſtom, rather than be changed into a Law, becauſe it will be complied with as a Cuſtom, where there are no Obſtacles to the Obſervation of it; and it ought not to be enforced by Law, where it is inconvenient and oppreſſive.

'While the Soldier, Sir, is moderate in his Demands, and peaceable and modeſt in his Behaviour, the Innkeeper will chearfully furniſh him even more than he can afford at the ſtated Price; and certainly Rudeneſs, Inſolence, and unreaſonable Expectations, may juſtly be puniſhed by the Forfeiture of ſome Conveniencies. Thus, Sir, the Innkeeper will preſerve ſome Degree of Authority in his own Houſe; a Place where the Laws of Nature give every Man Dominion, and the Soldier will continue a regular and inoffenſive Member of civil Society.

'The Abſurdity of leaving the Soldier at large in his Demands, and limiting the Price which the Inn keeper is to require, has been already expoſed beyond the Poſſibility of Reply; nor indeed has the leaſt Attempt been made to invalidate this Objection; for it has been paſſed in Silence by thoſe who have moſt zealouſly eſpouſed the Motion.

'The Account given by the honourable Gentleman of the Reaſon for which this Regulation was firſt introduced in the Reign of King William, is undoubtedly juſt; but it proves, Sir, that there is no Neceſſity of continuing it; for the Soldiers are now conſtantly paid, and therefore need not that Aſſiſtance from the Inn-keeper, which was abſolutely requiſite when they were ſometimes ſix Months without Money.

'It has been urged, Sir, with great Importunity and Vehemence, that ſome Expedient ſhould be propoſed in the Place of this which ſo many Gentlemen who have ſpoken on this Occaſion ſeem inclined to reject, and which indeed cannot be mentioned without Contempt or Abhorrence. That the Soldiers ſhould know as well as their Landlord their own Rights, is undoubtedly juſt, as well as that they ſhould have ſome certain Means of procuring the Neceſſaries of Life; it may therefore be proper to enact, that the Inn keeper ſhall either furniſh them with Diet at the eſtabliſh'd Rates, or permit them to dreſs the Victuals which they ſhall buy for themſelves, with his Fire and Utenſils, and allow them Candles, Salt, Vinegar, and Pepper. By this Method the Soldiers can never be much injur'd by the Incivility of their Landlord, nor can the Inn-keeper be ſubjected to arbitrary Demands. The Soldier will ſtill gain, by Decency and Humanity, greater Conveniencies than he can procure for himſelf by his Pay alone, and all Opportunities of Oppreſſion on either Side will in a great Meaſure be taken away.

'I cannot but expreſs my Hopes that this Method will be generally approved. Thoſe that have oppoſed the Eſtabliſhment of an Army will be pleaſed to ſee it made leſs grievous to the People; and thoſe that have declared in its Favour, ought ſurely to adopt without Oppoſition, any Meaſures, by the Purſuit of which it may be borne with fewer Complaints, and leſs Reluctance.'

The farther Conſideration of this Queſtion was deferr'd, and the Chairman having moved for Leave to ſit again, it was reſolved to proceed on this Buſineſs upon the next Day but one, in a Committee of the whole Houſe:

When Sir William Yonge ſpoke as follows:

SIR,

'illiam 'The laſt Day which was aſſigned to the Conſideration of this Bill, was ſpent in long Altercations, in vague and unneceſſary

unnecessary Disquisitions, in retrospective Reflections upon Events long past, and in aggravating of Grievances that may never happen; much Sagacity was exerted, and much Eloquence displayed, but no Determination was attained, nor even that Expedient examined, by which those Objections might be removed which appeared so important, or those Dangers obviated which were represented so formidable and so near.

'I hope, Sir, part of the Time which has intervened between that Debate and the present Day, has been employed by the Gentlemen, whose Scruples were so numerous, and whose Caution is so vigilant, in contriving some Methods of maintaining the Army without oppressing the Victuallers, and of providing for our Defence against foreign Enemies, without subjecting us to the Evils of Discontent and Disaffection, which they impute to the present State of the military Establishment.

'To object for ever, and to advance nothing, is an easy Method of Disputation upon any Question, but contributes very little to the Increase of Knowledge; an artful and acute Objector may confound, and darken, and disturb, but never assists Enquiry or illustrates Truth.

'In political Questions, Sir, it is still more easy and less ingenuous; for all political Measures are in some Degree right and wrong at the same Time; to benefit some they very frequently bear hard upon others, and are therefore only to be approved or rejected as Advantages appear to over-balance the Inconveniencies, or the Inconveniencies to out weigh the Advantages.

'It is, Sir, the proper Province of a Senator to promote, not to obstruct the public Councils, and when he declares his Disapprobation of any Expedient, to endeavour to substitute a better. For how can he be said to sustain his Part of the general Burthen of public Affairs, who lays others under the Necessity of forming every Plan, and inventing every Expedient, and contents himself with only censuring what he never endeavours to amend?

'That every Man who is called forth by his Country, to sit here as the Guardian of the public Happiness, is obliged, by the Nature of his Office, to propose in this House whatever his Penetration or Experience may suggest to him as advantageous to the Nation, I doubt not but all that hear me are sufficiently convinced; and therefore cannot but suppose that they have so far attended to their Duty, as to be able to inform us how the present Inconveniencies of this Bill may be remedied, and its Defects supplied.

'To



conſcious that ſome Articles in it may require
The Quantity of Small-Beer to be allowed tc
muſt neceſſarily be aſcertained in order to pr
and indeterminable Diſputes; for one Man, Sir
a greater Quantity than another, and a Man ma
ed by Malice or Wantonneſs to demand more
requires; it will therefore be proper to limit
which muſt be furniſhed, that neither the Sold
by the Avarice of his Landlord, nor the Lan
preſſed by the Gluttony of the Soldier.

'With regard to this Queſtion, Sir, I expec
rent Opinions in this Houſe, which every Ma
to offer and to vindicate; and I ſhall take thi
of propoſing on my Part, that every Man ma
Allowance of three Quarts. One Quart to ea
be allowed in my Opinion to be ſufficient, and
tleman can imagine that by this Limitation,
ſüity is indulged.

'There are ſome Parts, Sir, of this Kingd
Cyder is more plentiful, and cheaper than Sm
ſequently it may be for the Eaſe of the Victu
the Choice allowed him of furniſhing one or
will therefore be a very proper Addition to th
the Inn-keepers ſhall allow the Soldier eve
Quarts of either Small Beer or Cyder.

'That penal Sanctions, Sir, are eſſential
that no Man will ſubmit to any Regulations in

gulations invariably obſerved in the late Reigns, and how little the Aſſignment of Troops is to be dreaded by the Victualler.

'In the Reign of King William, Sir, before Funds were eſtabliſhed, while the Credit of the Government was low, the Meaſures of the Court were often obviated or defeated by the Superiority of the diſcontented Party, and the Supplies denied which were neceſſary to ſupport them, and in Expectation of which they had been undertaken, it was not uncommon for the Towns in which the Troops were ſtationed, to murmur at their Gueſts; nor could they be charged with complaining without juſt Reaſons; for to quarter Soldiers upon a Houſe, was in thoſe Days little leſs than to ſend Troops to live at their Diſcretion.

'As all Supplies, Sir, were then occaſional and temporary, and nothing was granted but for the preſent Exiſtence, the Prevalence of the Oppoſition for a ſingle Seſſion embarraſſed all the Meaſures of the Court in the higheſt Degree, their Deſigns were at a Stand, the Forces were unpaid, and they were obliged to wait till another Seſſion for an Opportunity of proſecuting their Schemes.

'Thus, Sir, the Soldiers were ſometimes five Months without their Pay, and were neceſſarily ſupported by the Inn keeper at his own Expence, with how much Reluctance and Diſcontent I need not mention. It cannot but be immediately conſidered upon hearing this Account of the Soldier's Condition, with how many Reproaches he would receive his Victuals, how roughly he would be treated, how often he would be inſulted as an Idler, and frowned upon as an Intruder. Nor can it be imagined that ſuch Affronts, however they might be provoked, would be borne without Return, by thoſe who knew themſelves not the Authors of the Provocation, and who thought themſelves equal Sufferers with thoſe who complained. When the Inn-keeper growled at the Soldier, the Soldier, it may be ſuppoſed, ſeldom failed to threaten, or to plunder the Inn-keeper, and to riſe in his Demands, as his Allowance was retrenched.

'Thus, Sir, the Landlord and his Gueſt were the conſtant Enemies of each other, and ſpent their Lives in mutual Complaints, Injuries, and Inſults.

'But by the preſent Regularity of our military Eſtabliſhment, this great Evil is taken away; as the Soldier requires no Credit of the Victualler, he is conſidered as no great Incumbrance on his Trade, and being treated without Indignities, like any other Member of the Community, he inhabits his Quarters without Violence, Inſolence, or Rapacity, and

and endeavours to recommend himſelf by Officiouſneſs and Civility.

'In this preſent Method of Payment, Sir, the Troops have always one Month's Pay advanced, and receive their regular Allowance on the ſtated Day; ſo that every Man has it in his Power to pay his Landlord every Night, for what he has had in the Day; or, if he imagines himſelf able to procure his own Proviſions at more Advantage, he can now go to Market with his own Money.

'It appears therefore to me, Sir, that the Amendment now propoſed is the proper Mean between the different Intereſt of the Inn-keeper and Soldier, by which neither is made the Slave of the other, and by which we ſhall leave to both Opportunities of Kindneſs, but take from them the Power of Oppreſſion.'

Mr. Carew.

SIR,

Mr. Carew.] 'The Amendment now offered is not, in my Opinion, ſo unreaſonable or unequitable as to demand a warm and ſtrenuous Oppoſition, nor ſo compleat as not to be ſubject to ſome Objections; Objections which, however, may be eaſily removed, and which would perhaps have been obviated, had they been foreſeen by the Gentleman who propoſed it.

'The Allowance, Sir, of ſmall Liquors propoſed, I cannot but think more than ſufficient; three Quarts a Day are ſurely more than the Demands of Nature make neceſſary, and I know not why the Legiſlature ſhould promote, or confirm in the Soldiery, a Vice to which they are already too much inclined, the Habit of Tipling.

'The Inn-keeper, Sir, will be heavily burdened by the Obligation to ſupply the Soldiers with ſo many of the Neceſſaries of Life without Payment, and therefore it may be juſtly expected by him, that no Superfluities ſhould be enjoyed at his Expence.

'But there remains another Objection, Sir, of far more Importance, and which muſt be removed before this Clauſe can be reaſonably paſſed into a Law. It is not declared, or not with ſufficient Perſpicuity, that it is to be left to the Choice of the Inn-keeper, whether he will furniſh the Soldier with Proviſions at 4d. a Day, or with the Neceſſaries enumerated in the Clauſe for nothing. If it is to be left to the Choice of the Soldier, the Victualler receives no Relief from the Amendment, to whoſe Option, ſince he muſt ſuffer in either Caſe, it ought to be referred, becauſe he only can tell by which Method he ſhall ſuffer leaſt.'

Mr.

Mr. Velters Cornwall.

SIR,

Mr. Velters Cornwall.

'It is not without the greateſt Diffidence that I riſe to oppoſe the Gentleman who offered the Amendment, for his Abilities are ſo far ſuperior to mine, that I object without Hope of being able to ſupport my Objection, and contend with an abſolute Certainty of being overcome. I know not whether it may be allowed me to obſerve, that the Difference between our Faculties is with regard to Strength and Quickneſs, the ſame as between the Cyder of his Country and that of mine, except that in one Part of the Parallel the Advantage is on our Side, and in the other on his.

'The Cyder, Sir, of our Country is one of our moſt valuable Commodities, ſo much eſteemed in diſtant Places, that our Merchants often ſell it by the Bottle, for more than the Soldier has to give for the Proviſion of a Day, and of ſuch Strength, that I, who am accuſtomed to the Uſe of it, never was able to drink three Quarts in any ſingle Day.

'If therefore, Sir, the Soldier is to have three Quarts of this Cyder, when Small-Beer is not eaſily to be procured, not only the Inn-keeper, but the Army will be injured; for what greater Harm can be done to any Man, than to initiate him in a Habit of Intemperance? And what Outrages and Inſolencies may not be expected from Men truſted with Swords, and kept from Day to Day, and from Month to Month, in habitual Drunkenneſs by a Decree of the Parliament?

Sir William Yonge.

SIR,

Sir William Yonge.

'I know not why the Gentleman has thought this a proper Opportunity for diſplaying his Eloquence in the Praiſe of his own Cyder. That he loves his own Country cannot be wondered, for no Paſſion is more univerſal, and few leſs to be cenſured; but he is not to imagine that the Produce of his native Soil will be generally allowed to excel that of other Counties, becauſe early Habits have endeared it to him, and familiariſed it to his particular Palate.

'The Natives of every Place prefer their own Fruits and their own Liquor, and therefore no Inference can be drawn from Approbation ſo apparently partial. From this Prejudice I am far from ſuſpecting myſelf free, nor am deſirous or induſtrious to overcome it: Neither am I afraid of expoſing myſelf to all the Cenſure that ſo innocent a Prepoſſeſſion may bring upon me, by declaring, that, in my Opinion, the Cyder of my native Country is of equal Excellence with that which this Gentlemen has ſo liberally extolled.'

Mr. Velters Cornwall.

SIR,

Mr. Velters Cornwall.

'How little I expect Victory in this Controverſy I have already declared, and I need not obſerve of how ſmall Importance it is what Soil produces Cyder of the greateſt Excellence and Value; ſince if there be other Places where the Cyder is equally eſteemed, and purchaſed at the ſame Rate, it is yet more neceſſary to provide, by ſome Exception, that the Soldier ſhall not be entitled to demand of the Victualler, Liquor to more than thrice the Value of his Pay, nor be allowed to revel in continual Drunkenneſs, and to corrupt his Morals, and enervate his Limbs by inceſſant Debauchery.

'But ſince, Sir, the Preference due to the Cyder of my Country has been denied, in my Opinion, with great Partiality and Injuſtice, I think myſelf obliged, by all the Laws of Honour and Gratitude, to ſtand up once more to vindicate its Superiority, and aſſert its Value.

'The Laws of Honour, Sir, require this from me, as they oblige every Man to ſtand forth a Vindicator of Merit ſlighted and oppreſſed; and Gratitude calls loudly upon me to exert myſelf in the Protection of that to which I have been often indebted for a pleaſing Suſpenſe of Care, and a welcome Flow of Spirits and Gaiety.

'The Cyder, Sir, which I am now reſcuing from contemptuous Compariſons has often exhilerated my ſocial Hours, enlivened the Freedom of Converſation, and improved the Tenderneſs of Friendſhip, and ſhall not therefore now want a Panegyriſt. It is one of thoſe few Subjects on which an Encomiaſt may expatiate without deviating from the Truth.

'Would the honourable Gentleman, Sir, who has thus vilified this Wonder-working Nectar, but honour my Table with his Company, he would quickly be forced to retract his Cenſures, and, as many of his Countrymen have done, confeſs that nothing equal to it is produced in any other Part of the Globe; nor will this Confeſſion be the Effect of his Regard to Politeneſs, but of his Adherence to Truth.

'Of Liquor like this, Sir, two Quarts is undoubtedly ſufficient for a daily Allowance, in the Lieu of Small-beer, nor ought even that to be determined by the Choice of the Soldier, but of the Inn-keeper, for whoſe Benefit this Clauſe is ſaid to be inſerted, and from whoſe Grievances I hope we ſhall not ſuffer our Attention to be diverted by any incidental Queſtions or ludicrous Diſputes.'

Mr.

Mr. Gore.

SIR,

Mr. Gore. ' That the Allowance of two Quarts a Day is ſufficient, and that to demand more is a wanton Indulgence of Appetite, is experimentally known, and therefore no more ought to be impoſed upon the Inn-keepers.

' Nor is this, Sir, the only Part of the Clauſe that requires our Conſideration, for ſome of the other Particulars, to be provided by the Victualler, may eaſily furniſh perverſe Tempers with an Opportunity of wrangling: Vinegar is not to be had in every Part of the Kingdom; and where it cannot be procured, ought not to be required; for neither Reaſon nor Experience will inform us that Vinegar ought to be rank'd among the Neceſſaries of Life.'

Sir William Yonge.

SIR,

Sir William Yonge. ' By the Alteration now made in the Clauſe, the Inn-keepers are effectually relieved from a great Part of the Burden which, in my Opinion, this Act has hitherto laid upon them; the Neceſſity of furniſhing the Soldiers quarter'd upon them with Proviſions at the ſtated Price, whatever might be the Scarcity of the Seaſon or of the Country. That this was the Intention of the Act, is aſſerted by thoſe whoſe Reputation and Promotion are ſufficient Evidences of their Ability in the Interpretation of our Laws.

' The Inn-keeper may now either accept or refuſe the limited Price, as it ſhall appear to him moſt conſiſtent with his Intereſt; nor will there be for the future any Room for murmuring at unreaſonable Demands, ſince he may oblige that Soldier, whom he cannot ſatisfy, to pleaſe himſelf better at his own Expence.

' The Choice of the Liquor is likewiſe wholly referred to the Inn-keeper; for the Words in the Clauſe requiring, that he ſhall furniſh three Quarts of Small Beer, or Cyder, he complies indiſputably with the Law by ſupplying either; and therefore the Value of Cyder in any particular Country is not of much Importance in the Queſtion before us; if Cyder be more valuable than Small-Beer, it may be withheld; if it be cheaper, it may be ſubſtituted in its Place; ſo that the Inn-keeper has nothing to conſult but his own Intereſt.

' That this is the meaning of the Clauſe, is, I ſuppoſe, obvious to every Man that hears it read, and therefore I ſee no Reaſon for any Alterations, becauſe I know not any Effect which they can poſſibly have, except that of obſcuring the Senſe which is now too clear to be miſtaken.'

Sir John Barnard.

SIR,

Sir John Barnard.

'Though it ſhould be granted that the Clauſe before us is intelligible to every Member of this Aſſembly, it will not certainly follow, that there is no Neceſſity of farther Elucidations; for a Law, very eaſily underſtood by thoſe who make it, may be obſcure to others who are leſs acquainted with our general Intention, leſs ſkilled in the Niceties of Language, or leſs accuſtomed to the Stile of Laws.

'It is to be conſidered, that this Law will chiefly affect a Claſs of Men very little inſtructed in Literature, and very unable to draw Inferences; Men, to whom we often find it neceſſary in common Caſes to uſe Explanations, and familiar Illuſtrations, and of whom it may not be unreaſonably ſuſpected, that ſome Want of Education, which makes them ignorant, makes them petulant, and at once incline them to wrangle and deprive them of the Means of deciding their Controverſies.

'That both Inn-holders and Soldiers are, for the greateſt Part, of this Rank and Temper, I ſuppoſe, Sir, every Gentleman knows from daily Obſervation, and therefore it will, I hope, be thought neceſſary to deſcend to their Underſtandings, and to give them Laws in Terms of which they will know the meaning; we ſhall otherwiſe more conſult the Intereſt of the Lawyers than the Inn-holders; and only by one Alteration produce a Neceſſity of another.

'I am therefore deſirous, Sir, that all the Difficulties, which have been mentioned by every Gentleman on this Occaſion, ſhould be removed by clear, familiar, and determinate Expreſſions; for what they have found difficult, may eaſily be to an Inn-holder or Soldier abſolutely inexplicable.

'I cannot but declare, while I am ſpeaking on this Subject, that, in my Opinion, two Quarts of Liquor will be a ſufficient Allowance. If we conſider the Demands of Nature, more cannot be required; if we examine the Expence of the Inn-holder, he ought not to ſupply Soldiers with a greater Quantity for nothing. It is to be remembered, that Small-beer, like other Liquors, is charged with an Exciſe in Public Houſes, and that two Quarts will probably coſt the Landlord a Penny; and as we cannot ſuppoſe, that Fire, Candles, Vinegar, Salt, Pepper, and the Uſe of the Utenſils, and Lodging, can be furniſh'd for leſs than Three-pence a Day, every Soldier that is quarter'd upon a Public Houſe, may be conſider'd as a Tax of ſix Pounds a Year; a heavy Burthen! which ſurely ought not to be aggravated by unneceſſary Impoſitions.'

The

The Committee having gone thro' the Bill, and ſettled the Amendments, the Chairman was ordered to make his Report the next Day.

Accordingly the ſaid Report was then read, and the Amendments to the Clauſes in Debate, which then ran thus:

That the Officers and Soldiers to be quartered and billeted as aforeſaid, ſhall be received, and furniſhed with Diet and Small-Beer by the Owners of the Inns, Livery-Stables, Ale-Houſes, Victualling-Houſes, &c. paying and allowing for the ſame the ſeveral Rates mentioned.

Provided, That in caſe the Inn-holder, on whom any Non-commiſſion Officers or Soldiers ſhall be quartered by virtue of this Act, (except on a March) ſhall be deſirous to furniſh ſuch Officers or Soldiers with Candles, Vinegar, and Salt, and with either Small-Beer or Cyder, not exceeding three Quarts for each Man a Day, gratis, and to allow them the Uſe of Fire, and the neceſſary Utenſils for dreſſing and eating their Meat, and ſhall give Notice of ſuch his Deſire to the commanding Officers, and ſhall furniſh and allow them the ſame accordingly; then, and in ſuch Caſe, the Non-commiſſion Officers and Soldiers ſo quartered ſhall provide their own Victuals, and the Officer to whom it belongs to receive, or that does actually receive the Pay and Subſiſtence of ſuch Non commiſſion Officers and Soldiers, ſhall pay the ſeveral Sums, payable out of the Subſiſtence-Money for Diet and Small-Beer, to the Non-commiſſion Officers and Soldiers as aforeſaid, and not to the Inn-holder, or other Perſon on whom ſuch Non-commiſſion Officers or Soldiers are quartered.

The Queſtion being put, whether this Clauſe ſhould ſtand thus, Mr. Carew ſpoke to this Effect:

SIR,

Mr. Carew. ' Tho' it may perhaps be allowed, that the Circumſtances of our preſent Situation oblige us to ſupport a more numerous Army in former Years, ſurely no Argument can be drawn from them that can ſhew the Neceſſity of a profuſe Allowance to our Soldiers, or of gratifying their Deſires by the Oppreſſion of the Inn-holders.

' If, Sir, the Deſigns of our Enemies are ſo malicious, and their Power ſo formidable, as to demand Augmentations of our Troops, and Additions to our natural Securities, they ought ſurely to impreſs upon us the Neceſſity of frugal Meaſures, that no uſeleſs Burdens may be impoſed upon the People.

' To

' To furniſh two Quarts of Beer, Sir, every Day for nothing, is undoubtedly an Impoſition ſufficiently grievous, and I can, therefore, diſcover no Reaſon for which an Allowance of three ſhould be eſtabliſhed; a Propoſal injurious to the Victualler, becauſe it exacts more than he can afford to allow; and of no Benefit to the Soldier, becauſe it offers him more than he can want.'

Sir William Yonge.

SIR,

Sir William Yonge.

' If it is an Inſtance of Miſconduct to ſpend upon any Affair more Time than the Importance of it deſerves, I am afraid that the Clauſe to which our Attention is now recalled may expoſe us to Cenſure, and that we may be charged with neglecting weighty Controverſies, and national Queſtions, to debate upon Triſles; of waſting our Spirits upon Subjects unworthy of Contention; of defeating the Expectations of the Public, and diverting our Enemies rather than oppoſing them.

' But, Sir, as nothing has a more immediate Tendency to the Security of the Nation than a proper Eſtabliſhment of our Forces, and as the Regulation of their Quarters, is one of the moſt neceſſary and difficult Parts of the Eſtabliſhment, it is requiſite that we think no Queſtion of this kind too trivial for our Conſideration, ſince very dangerous Diſturbances have often been produced by petty Diſputes.

' The Quantity, Sir, of Small-Beer to be allowed by the Victualler to thoſe Soldiers who ſhall provide their own Victuals, was diſputed Yeſterday, and, as I thought, agreed upon; but ſince this Spirit is revived, I muſt take the Opportunity to declare that we ought not to aſſign leſs than three Quarts a Day to each Man; for it is to be remembered by thoſe who eſtimate the Demands by their own, how much their way of Life is different from that of a common Soldier, and how little he can be charged with Wantonneſs and Superfluity, for drinking more ſmall Liquor than themſelves.

' There are few Members of this Houſe, who do not, more than once a Day, drink Tea, Coffee, Chocolate, or ſome other cooling and diluting Infuſion; Delicacies which the Soldier cannot purchaſe, to which he is entirely a Stranger, and of which the Place muſt be ſupplied by ſome other cheap and wholſome Liquors.

' If, Sir, thoſe Gentlemen, whoſe cloſe Attention to the Intereſt of the Inn-holder has perhaps abſtracted them, in ſome Degree, from any Regard to the Neceſſities of a Soldier, will conſent to allow him five Pints a Day, I ſhall con-

tend

tend no longer; for tho' I cannot agree that it is a ſufficient Proviſion, yet, as other Gentlemen equally able to judge in this Subject with myſelf, are of a different Opinion, I ſhall ſhew my Regard for their Sentiments, by deſiſting from Oppoſition.'

Lord Baltimore.

SIR,

Lord Baltimore.

'I am not able to diſcover any Neceſſity of compromiſing this Debate, by taking the Mean between the two different Opinions, or for denying to the Soldiers what every Labourer or Serving man would murmur to be refuſed for a ſingle Day.

'I believe, Sir, every Gentleman who examines the Expence of his Family, will find that each of his Servants conſumes daily at leaſt three Quarts of Small-Beer, and ſurely it is not to be required that a Soldier ſhould live in a perpetual State of War with his Conſtitution, and a conſtant Inability to comply with the Calls of Nature.'

General Handyſide.

SIR,

General Handyſide.

'The Inclination ſhewn by ſeveral Gentlemen for a penurious and ſcanty Proviſion for the Soldier, muſt, in my Opinion, proceed from an inattentive Conſideration of his Pay, and will therefore be removed by laying before them an Account of his Condition, and comparing his daily Pay with his daily Expences.

'The whole Pay of a Foot Soldier, Sir, is 6d. a Day, of which he is to pay 4d. to his Landlord for his Diet, or, what is very nearly the ſame, to carry 4d. daily to the Market, for which how ſmall a Supply of Proviſions he can bring to his Quarters, eſpecially in Time of Scarcity, I need not mention.

'There remain then only Two-pence, Sir, to be diſtributed for Things not immediately neceſſary for the Preſervation of Life, but which no Man can want without being deſpicable to others, and burthenſome to himſelf. Two pence a Day is all that a Soldier has to lay out upon Cleanlineſs and Decency, and with which he is likewiſe to keep his Arms in Order, and to ſupply himſelf with ſome Part of his Cloathing. If, Sir, after theſe Deductions, he can from Two-pence a Day procure himſelf the Means of enjoying a few Moments in the Year with his Companions over a Cup of Ale, is not his OEconomy much more to be envied than his Luxury? Or can it be charged upon him that he enjoys more than his Share of the Felicity of Life? Is he to be burdened with new Expences leſt he ſhould hoard up the public Money;

ſtop

ſtop the Circulation of Coin, and turn Broker or Uſurer with Two-pence a Day?

'I have been ſo long acquainted, Sir, with the Soldier's Character, that I will adventure to ſecure him from the Charge of Avarice, and to promiſe that whatever he ſhall poſſeſs not neceſſary to Life, he will enjoy to the Advantage of his Landlord.'

Mr. Campbell.

SIR,

Mr. Campbell. 'I am far from intending to oppoſe this Propoſal of five Pints, though, upon a rigorous Examination, it might appear more than the mere Wants of Nature require, for I cannot but declare that this Queſtion has too long engaged the Attention of the Houſe, and that the Repreſentatives of a mighty Nation, beſet with Enemies, and encumbered with Difficulties, ſeem to forget their Importance and their Dignity, by wrangling from Day to Day upon a Pint of Small-beer.

'I conceive the Bill which we are now conſidering, Sir, not as a perpetual and ſtanding Law, to be inter-woven with our Conſtitution, or added to the Principles of our Government, but as a temporary Eſtabliſhment for the preſent Year; an Expedient to be laid aſide when our Affairs ceaſe to require it; an experimental Eſſay of a new Practice, which may be changed or continued according to its Succeſs.

'To allow, Sir, five Pints of Small-beer a Day to our Soldiers for a ſingle Year can produce no formidable Inconveniencies, and may, though it ſhould not be entirely approved, be of leſs Diſadvantage to the Public than the Waſte of another Day.

An Alteration was made to Five Pints inſtead of three Quarts, and the Bill, thus amended, was ordered to be engroſſed; and a few Days afterwards being read a third time was paſſed, and ordered to the Lords.

The Clauſe being read, That the Juſtices of Peace ſhall, upon proper Application, iſſue out Warrants to the Conſtables, &c. to ſearch by Day or Night, for all ſuch Seamen or ſeafaring Men as ſhall withdraw or conceal themſelves within their reſpective Juriſdictions, and for this Purpoſe to make a general Search, in which it ſhall be lawful for them to enter any Houſe, where they ſhall ſuſpect ſuch Seamen to be concealed, and if Entrance be not readily admitted them, to force open the Doors of ſuch Houſe, in order to make ſuch Search.——And that whoever ſhall preſume to harbour or conceal any ſuch Seamen, or wilfully do any thing to hinder or fruſtrate the Search, for every ſuch Offence ſhall, (here

(here the Puniſhment was to have been filled up by the Committee.)

Lord Gage ſtood up and ſpoke to the following Effect.

Mr. Speaker.

SIR,

Lord Gage. ' I cannot ſit in this Place, and hear ſuch a Clauſe read, without declaring myſelf againſt it; becauſe I think it abſolutely inconſiſtent with the Liberties of my Country. An Engliſhman's Houſe has always been ſaid to be his Caſtle: No Man is to enter into it without his Leave, unleſs there be a ſtrong Suſpicion of his having been guilty of ſome very atrocious Crime, and that Suſpicion declared upon Oath by ſome Witneſſes of good Credit. But by this Clauſe, the Houſe of every Man in England is to be laid open, both by Day and by Night, to all the petty Conſtables in his Neighbourhood If ſuch a Clauſe ſhould paſs into a Law, can any Man in England be ſaid to be free? Can any Man's Property be ſaid to be ſafe; eſpecially when we conſider the Character of many of thoſe who ſerve the Office of Conſtable for Hire?

' This, Sir, would be of ſuch dangerous Conſequence to the Properties as well as the Liberties of the Subject, that no Neceſſity can juſtify our paſſing ſuch a Law; and the only Argument I have heard made uſe of in its Favour, is rather, in my Opinion, an Argument againſt it. When this Bill was firſt brought in, we were told, as an Argument for it, that there was ſuch a Law paſſed in the 5th Year of Queen Anne; but as that Law ſubſiſted for a Year only, and as it was neither continued nor revived, it is to me a convincing Proof, that the Law was found inconvenient and dangerous, or that it was found not to anſwer the Purpoſe intended, and therefore I am againſt trying the Experiment a ſecond Time.'

Sir Charles Wager.

SIR,

Sir Charles Wager. ' As it is hardly poſſible to contrive any Law for the public Service, that may not ſeem inconvenient to private Men; and as in ſuch a numerous Aſſembly, there muſt be a great Variety of Sentiments, I expected, when this Bill was firſt brought in, to hear it oppoſed, eſpecially by thoſe Gentlemen who happen at preſent to have no Share in our Adminiſtration; becauſe they are not ſenſible of the Difficulties that are to be met with in providing for the public Service, even after the Parliament has granted the Sums neceſſary for that Purpoſe; to which I muſt add, that they are generally but

too jealous of the Liberties of the Subject, which makes them take the Alarm at every Thing that looks like an Extenſion of the Powers of our Government, however neceſſary that Extenſion may be for the Eaſe or Safety of the People.

'This, Sir, is the Caſe at preſent. Every Gentleman muſt grant, that his Majeſty's Navy ought to be mann'd; becauſe without Men it can be of no Service to the Nation; but as the Law now ſtands, our Government labours under inſuperable Difficulties in providing a ſufficient Number of Seamen for the Service of the Navy. They have tried Preſſing: They have tried Embargoes: They have tried every Method the Law admits of, without Succeſs; and I do not at all wonder at it; for when a Seamen expects 3*l.* a Month in the Merchant Service, I do not wonder at his endeavouring to avoid being preſſed into his Majeſty's Service, where he has but a little more than 20*s.* He does this by abſconding and concealing himſelf till he finds an Opportunity for entering into the Merchant Service, and therefore thoſe now employed in our Government find it abſolutely neceſſary for them to have a Power to ſearch for and apprehend ſuch Seamen, either by Night or by Day, and to break open Doors, if Admittance ſhould be denied to the Civil Officer.

'This Power, 'tis true, Sir, if it were to be made a bad Uſe of, might, like all other Powers, prove troubleſome and inconvenient to the Subject; but whilſt it is properly uſed, it can be inconvenient to none but thoſe who conceal Seamen in their Houſes, or at leaſt to ſuch as give Suſpicion of their doing ſo, which can never be the Caſe of any Man of Rank or Figure in the Kingdom; and in modelling this Clauſe, all poſſible Care has, I think, been taken to prevent this Power's being made an improper or bad Uſe of; for the Juſtices of Peace, before they can order a Search for Seamen, muſt have an Authority from the Admiralty, and after they have this Authority, they are to iſſue their Orders, not to a Preſs-Gang, or Officer of the Navy, but to the Conſtables, who are always ſuch as live in the Neighbourhood, and being well known, might eaſily be proſecuted and puniſhed, ſhould they any way miſbehave in the Execution of their Office.

'I cannot therefore, Sir, form to myſelf any Apprehenſion, or imagine the leaſt Danger from our paſſing this Clauſe into a Law. A Man's Houſe will ſtill be his Caſtle: Should this Clauſe paſs into a Law, no Man's Houſe could be forced open, unleſs he is guilty of a Crime, or has by ſome Miſconduct given Cauſe to ſuſpect his being guilty. I ſay guilty of a Crime, Sir; for, I think, it is a very great Cauſe in any Man to withdraw himſelf from the Service of his Country, when the Safety, perhaps the very Being of his Country depends

pends upon his Service; and therefore I muſt think it a Crime of a very henious Nature in thoſe who conceal Seamen ſo withdrawing from the Service of the Crown: The public Safety as much requires, and, in my Opinion, they as much deſerve to be expoſed to the Danger of having their Houſes ſearched, or their Doors forced open, as thoſe that harbour Thieves, or conceal ſtolen Goods; and tho' the Power of ſearching the Houſes of ſuch Criminals, or ſuſpected Criminals, and breaking open their Doors in Caſe of Non-admittance, has been eſtabliſhed for Ages, yet it has never been found inconvenient to innocent Men, or dangerous to the Liberties of the Subject.

'I believe, Sir, no Gentleman will ſuppoſe that thoſe who were employed in our Adminiſtration, in the 5th Year of the late Queen, had any Deſigns againſt the Liberties of their Country. I believe, it will be generally admitted, they had as great a Regard for both the Liberties and Properties of their Fellow Subjects, as any Adminiſtration ever had, yet they contrived and got paſſed ſuch a Law as is now propoſed. This ſhews, it was not then thought, that ſuch a Law would be of dangerous Conſequence to the Properties, or an Encroachment upon the Liberties of the Subject; and if that Law was not continued or revived, it was not becauſe of any Inconvenience found in it, but becauſe there was no Occaſion for continuing or reviving it. There can never be any Occaſion for ſuch a Law, but at, or ſoon after the Beginning of a War, nor when we are engaged with an Enemy poſſeſſed of a very great naval Force; and as the naval Power of France had been ſo much broke in the Beginning of that War, that they durſt never afterwards face us at Sea, we had no Occaſion for continuing or reviving this Law at any Time after the Year 1706.

'The Caſe, Sir, may now be the ſame: If we paſs the Law now propoſed, it will be of great and immediate Service with regard to the Manning his Majeſty's Navy; and if we ſhould make it to ſubſiſt but for a Year, there may probably be no Occaſion for continuing it; or, if there ſhould, we may continue it but from Year to Year, till the Occaſion we have for it ceaſes; ſo that I can apprehend no Danger from our paſſing it in the Form it ſtands at preſent, and as I can think of no other Method for manning the Ships we have now in Commiſſion, I muſt therefore be for the Clauſe, and as it is neceſſary at this immediate Juncture, I hope it will be paſſed into a Law.'

Sir John Barnard.

Sir,

'The Nature and Conſequences of the Clauſe now under our

Sir John Barnard.

our Conſideration, were ſo fully explained upon the ſecond Reading of this Bill, that I ſhould not have given you any Trouble upon this Occaſion, but as ſeveral Arguments were then thrown out, by way of Anſwer to the Objections I had made to the Bill, to which I had not then an Opportunity to make any Reply; I ſhall now beg Leave to ſhew the Weakneſs of thoſe Arguments, and to inforce the Objections I then made, which to me appear the ſtronger, the more I conſider the Nature of this Bill; eſpecially when I compare it with the Nature of our Conſtitution, and conſider the Uſe that may be made of it by a Miniſter, who reſolves to have no Juſtice of Peace in any Country, but ſuch as will yield a blind Obedience to his Orders.

'We were told, Sir, that private Intereſt muſt always give way to the public; that the Manning of the Royal Navy is a public Concern of the greateſt Conſequence, and that therefore every private Intereſt muſt be ſacrificed to it when it becomes abſolutely neceſſary to do ſo. I would gladly aſk thoſe Gentlemen, if they think the Trade of the Nation a public Concern? What Gentlemen may do who have lucrative Poſts or Employments under the Crown I do not know; but I am ſure, if our landed Gentlemen do not look upon Trade as a public Intereſt, they will very ſoon find their private Intereſt very much diminiſhed, and in ſome Places almoſt entirely annihilated. It is from our Trade, Sir, we have our Riches, our Power, our Navy, and our Seamen; and therefore, if we ſhould loſe our Trade, either by Neglect, or by ſubjecting it to inſufferable Hardſhips, we ſhould have no Occaſion for ſuch a Law as is now propoſed; for we ſhould neither have Seamen, nor Ships to put Seamen on board of. Our Trade has already ſuffered very conſiderably by the Methods we have taken for manning our Navy, and by this Bill you will put an End to the very Breed of our Seamen; for no Man will go to Sea, or breed himſelf up a Sailor, when he conſiders, that, by the Laws of his Country, he thereby becomes liable to be preſſed, whenever a Miniſter ſhall take it in his Head to fit out a Squadron, either for Shew or Service, and that if he conceals himſelf, he is to be hunted after as if he were a common Felon.

'Another Argument made uſe of in Favour of the Bill was, that there are a great Number of Sailors lurking up and down the Country, and that there are at leaſt 6000 now employed in our Coaſting Trade. As to the Sailors that are lurking in the Country, and unwilling to enter either into the Merchant Service, or the Service of the Navy, I wiſh they could be apprehended, if they cannot be tempted by the Reward offered by this Bill, to enter into his Majeſty's Service;

but I do not believe there is any great Number of them; and, I am ſure, no Gentleman of this Houſe can with good Reaſon affirm there is; for if he could, he muſt then know whereabout they are to be met with, and in that Caſe he would certainly give the Government Notice of it, to the End they might be apprehended and ſent on board the Navy. That there are a great Number of Seamen lurking in the Country I therefore take to be a vague Aſſertion, made uſe of in Favour of this Bill, without any ſolid Foundation; and the other Aſſertion of there being at leaſt 6000 Seamen employed in our Coaſting Trade is, I am convinced, without the leaſt Foundation. I do not believe, Sir, there is a fourth Part of the Number, able-bodied, expert Seamen, employed in our Coaſting Trade; for beſides the Maſter, our Coaſting Veſſels ſeldom have above one or two ſuch Seamen on board, the reſt of the Crew being made up of old Seamen above 55 Years of Age, young Seamen under 18, Apprentices to the Maſter, and Landmen that were never perhaps before at Sea; and as no Coaſting Veſſel can ſafely venture to Sea, without one or two able-bodied, expert Seamen on board, beſide the Maſter, if you ſhould take from them ſuch as are now employed in that Trade, you would put an entire Stop to it at once, the Conſequences of which would ſoon become terrible, eſpecially here at London, where the People are under a Neceſſity of having a continual Supply from almoſt every Corner of the Kingdom.

I am therefore convinced, Sir, ſhould this Clauſe be paſſed into a Law, that its Authors and Advocates would find themſelves very much miſtaken as to its Effect. It might, perhaps, force ſome of our beſt Seamen into foreign Service, eſpecially ſuch as have been employed in the Eaſt-India Trade, but I cannot think it would add any great Number to the Navy; and I am the more convinced of this, from what I have heard as to the Effect of that Bill which was paſſed into a Law in the 5th of the late Queen, and which was of the ſame Nature with this; for I have been informed, that, by Means of that Bill, they at that Time got but a ſmall Number of Seamen, which was the Reaſon of its not having been continued. As that Miniſtry had, I believe, as great a Regard for the Liberties and Properties of their Fellow Subjects as any Miniſter can have, this was with them a prevailing Argument for not inſiſting upon the Law's being continued; but we are not to expect the like Condeſcenſion from every Miniſter, and as it is much eaſier to prevent a Bill's being paſſed into a Law, than to prevent the Law's being continued, I ſhall always be againſt truſting Miniſters, even with a temporary Law, which I think dangerous to our Conſtitution, however

plauſible

ſome way or other ought to be remedied as ſoon as poſſible but ſurely this Grievance may be removed without putting it in the Power of a petty Conſtable to harraſs and oppreſs the beſt Gentleman, or even the greateſt Lord in his Neighbourhood, which would be the Caſe, if this Clauſe ſhould paſs into a Law, as will appear to every Gentleman, who impartially conſiders the Words of the Clauſe.

'The Juſtices of Peace, it is true, Sir, muſt have an Authority from the Admiralty, before they can iſſue their Orders for a general Search for Seamen, and the Conſtables muſt have their Orders from the Juſtices, before they can go upon that Search; but thoſe Orders are not to ſpecify the Houſes they are to ſearch: The Orders are to be general; and when a petty Conſtable is provided with ſuch a general Order, and a Preſs-Gang proper for his Purpoſe, whatever it may be, may not he inſiſt upon ſearching the Houſe of any Gentleman, or any Nobleman in the Neighbourhood? May not he break open the Gates and the Doors of the Houſe, if the Servants ſhould refuſe to give him Admittance upon the firſt Word of Command? This, Sir, is ſuch an unlimited Power, and is lodged in a Perſon of ſuch a low Character, that I am ſurprized how it could enter into any Miniſter's Head to think, that a Britiſh Parliament would approve of it. I am ſure, I ſhall moſt heartly give it my Negative, and I hope, even the Gentlemen who brought in the Bill, will agree to leave out this Clauſe, when they conſider ſeriouſly the Conſequences it may be attended with.'

Sir William Yonge.

SIR,

Sir William Yonge.

'By the Complaints within Doors, and the Clamours without, it would ſeem as if People thought, that War might be carried on without expoſing our Trade to the leaſt Inconvenience or Danger, which every conſiderate and impartial Man muſt allow to be impoſſible. That of drawing a great Number of Seamen out of the Merchant Service, and conſequently raiſing Seamens Wages in that Service, is one of thoſe Inconveniences, that cannot be avoided at the Beginning of a War, eſpecially after a long Tract of peaceable Times; and as thoſe entruſted with the Adminiſtration of our public Affairs cannot engage Seamen to enter into the King's Service, by increaſing their Wages, they muſt have recourſe to Preſſing, in which no regular Method can be obſerved; for when the Service requires it, they muſt preſs all they can find, without regard to their having been for a long or a ſhort Time at Sea, before their being preſſed into the King's Service.

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'The only two Methods I have ever heard of for preventing theſe Inconveniencies, are, to keep a great Number of Seamen, even in Time of Peace, in continual Pay, and to have a general Regiſter for our Seamen. If we had kept 20 or 30,000 Seamen in continual Pay and continual Service, during the many Years we have been in profound Peace, we ſhould now have no Occaſion to draw any great Number away from our Trade; but this would have, ſeven Years ago, been exclaimed againſt, as putting the Nation to an Expence that was both unneceſſary and dangerous: And if we had yearly fitted and ſent out a powerful Squadron, for no other Reaſon but to exerciſe our Seamen, and prevent their forgetting their Trade, it would have been ridiculed, and called making a Raree-Shew of our Squadron and Seamen.

'Then, Sir, as to a Regiſter for Seamen, it is certain, that if the Government had an Account of all the Seamen in the Britiſh Dominions, and could call upon ſuch of them as they pleaſed, to come in and ſerve on board the Royal Navy, the Admiralty would never have Occaſion to iſſue any Preſs-Warrants, nor to force any Seaman to ſerve out of his Turn, or longer than his Turn. There would then be no Occaſion to preſs Men out of a Merchant-Ship juſt returned from a long Voyage, nor for turning over a Crew from one Man of War to another. But this of a Regiſter too, we are told, would be dangerous to our Conſtitution, and would make Slaves of our Seamen. Thus, Sir, ſome Gentlemen are daily complaining of the Hardſhips to which our Trade and our Seamen are expoſed, and yet they will neither propoſe, nor agree to any of the Methods that are propoſed for preventing its being neceſſary to ſubject our Trade and our Seamen to thoſe Hardſhips. To defend our own Coaſts in time of War, we muſt have Squadrons at Sea, or ready to put to Sea; to protect our Trade, we muſt have a great Number of Cruiſers and Convoys at Sea; to attack or annoy the Enemy, we muſt ſend powerful Squadrons upon their Coaſts. If any of theſe Services were neglected, thoſe that are not in our Government would exclaim againſt thoſe that are, and they would have Reaſon to exclaim; when thoſe that are in our Government make uſe of the only Means they have in their Power for ſupplying thoſe Services, the Gentlemen that happen not to be concerned in our Government complain of their Conduct, and ſay, they unneceſſarily harraſs our Trade, and oppreſs our Seamen; and when thoſe that are in our Government propoſe the eſtabliſhing of other Methods for ſupplying thoſe Services, thoſe that are not in our Government take the Alarm and ſay, they are going to overturn our Conſtitution.

'These, Sir, are the Circumſtances we now ſeem to be in: Theſe are the Circumſtances we have been long in; and whilſt we are in theſe Circumſtances, we can never expect to be eaſy at home, or to make a Figure abroad; therefore, I wiſh Gentlemen would lay aſide their Jealouſies and Fears, and concur heartily and ſincerely in all Meaſures that ſeem to be neceſſary for enabling us to act with Vigour in our national Capacity. Every Man deſires to have the public Service performed: Every Man deſires to have the public Wants ſupplied; but few are willing to contribute their due Share either of Labour or Expence: The Government muſt be inveſted with ſuch Powers as are neceſſary for compelling thoſe that are unwilling: If it is not, you can never expect to act with Vigour in Time of War, nor to be at quiet in Time of Peace. You ought not therefore to be jealous of giving ſuch Powers to your Government: You ought only to be watchful leſt any of thoſe Powers ſhould be made a bad Uſe of; and whilſt our Judges below do their Duty, no Power granted by Parliament can be made a bad or an oppreſſive Uſe of with Impunity. When there is a legal Remedy, the Injured will certainly take Advantage of it; and if there ſhould be no legal Remedy, if the Criminal ſhould be too high or too cunning for our Judges to reach him, the Parliament may come in Aid, and will always be able to give the injured Subject a ſufficient Redreſs, againſt the higheſt or moſt cunning Oppreſſor.

'For this Reaſon, Sir, I cannot think there is any Danger that the Conſtables, who are to execute the Powers propoſed to be eſtabliſhed by this Clauſe, will ever make a bad Uſe of them or ſearch any Houſe without ſome reaſonable Suſpicion of Seamen being kept concealed in it; but if it ſhould be thought, that an unlimited Power in this reſpect is too great to be lodged either in the Juſtices of the Peace, or in their Under-Officers the Conſtables, you may reſtrain their Power by an Amendment to the Clauſe: You may amend it ſo as that neither the Juſtices nor the Conſtables can ſearch any Houſe without an Affidavit, that ſome abſconding Seamen are ſuppoſed to be concealed in the Houſe. This, I think, will obviate all the Objections that have been made to the Clauſe, as it now ſtands; and the eſtabliſhing of ſuch a Law may very probably put an End, in a ſhort Time, both to Preſſing and Searching; for, if it were once made impoſſible for Seamen to avoid being preſſed by abſconding, and ſuch a Reward was offered as is by this Bill propoſed, to all ſuch as ſhould enter themſelves voluntarily into his Majeſty's Service, every Seaman in the Kingdom would, upon the firſt Proclamation, voluntarily offer himſelf, in order to be entitled to the Reward,

ward, if he were accepted of, or to a Protection if he were not. By this Means our Government would always have Plenty and Choice of Seamen at its Command, which would put an End to Preſſing as well as Searching; and the Commiſſioners of our Admiralty would then have it in their Power to give every Seaman his Turn of Service in the Navy: They would then have no Occaſion to force any Man out of his Turn, nor to deſire him to continue longer in the Navy than his Turn; and conſequently they could never be under a Neceſſity to preſs Seamen out of a Merchant Ship homeward-bound from a long Voyage, nor to turn a Crew over from one Man of War to another.

'I am therefore, Sir, ſupprized to hear it ſaid, that this Law would bring our Seamen into any Sort of Slavery, or under the leaſt Inconvenience; for, in my Opinion, it would have a quite contrary Effect: It would relieve them from all the Hardſhips they now labour under, by making it unneceſſary for our Government to force any of them into his Majeſty's Service, or to keep them there, out of their Turn; and if we ſhould, even in Time of Peace, keep in continual Pay but half as many Seamen as we can probaby have uſe for in Time of War, which, now we have ſeen the Inconvenience of not doing ſo, will, I hope, be reſolved on, when Peace is reſtored, we could then carry on any future War, without drawing ſuch a Number of Seamen from the Merchant's Service as might any way embarraſs our Trade; for I ſhall grant, that a certain Number of Landmen, in Proportion to the Number of Seamen, may be taken on board every Ship of War; but I am far from thinking that the Proportion of Landmen ſhould be ſo great as two Thirds. A few Landmen may, 'tis true, aſſiſt in fighting the Ship; but from all I could ever learn, and I have been curious in this Particular, an expert Seaman is better even for fighting the Ship than the beſt-trained Landmen you can put on board; and it is to the great Number of Seamen we uſually have on board our Ships of War, that our Ships are ſuperior to any foreign Ships of the ſame Rate. Our Neighbours generally put more Men on board our Ships than we do, but as moſt of their Men are Landmen, and moſt of ours are Seamen, we work our Ships and manage our Guns more dexterouſly than they do, which always gives us the Advantage in an Engagement; and tho' their Landmen are often trained Soldiers, yet it is generally found, we do more Execution even with their ſmall Arms than they can.

'I therefore hope, Sir, we ſhall always hereafter put ourſelves to a little extraordinary Expence in Time of Peace, rather than give up this Superiority which has often been of

great Benefit to us, and from which we have reaped ſo much Glory; and as we had not done ſo during the laſt Peace, and were therefore in great Want of Seamen at the Beginning of the War, I muſt think, it was better to diſtreſs our Trade a little, rather than expoſe our Ships to be taken, and our naval Reputation to be loſt, by putting too many Landmen on board any of our Ships of War, eſpecially thoſe ſent to the Weſt-Indies. The Climate in that Country is known to be ſo obnoxious to our Landmen, and our Ships are ſo far diſtant from any freſh Supply, that we cou'd not venture to put any Number of Landmen on board; and it is to this chiefly that we ought to impute the preſent great Scarcity of Seamen, for in this Part of the World we have now above 20,000 Seamen in his Majeſty's Service, beſides the great Numbers that are gone thither to ſerve on board Privateers. We could not at the beginning put any Proportion of Landmen on board the Ships deſigned for that Service, and much leſs can we do it now; and with regard to the Ships at home which are now in Commiſſion, I believe, we muſt content ourſelves with having one Third expert Seamen on board each of them, and muſt therefore proportion our Seamen among them as well as we can.

'This, Sir, is a Neceſſity we are drove to, which, I muſt ſay, I am ſorry for, becauſe I think it a dangerous Neceſſity; for how ſoon we may be obliged to ſend a great Number of theſe Ships to Sea no one can tell. I do not pretend to be let into any Secrets of State, or any of the ſecret Intelligence we have from abroad; but I may take Notice of what I have lately ſeen in a News Paper, which ſaid, that twelve French Men of War from Breſt were to join the Spaniſh Squadron now fitting out at Cadiz. If this be true, we muſt immediately ſend out a very powerful Squadron, to obſerve the Motions of theſe united Squadrons, and if our Squadrons ſhou'd think it neceſſary to engage, I am afraid, our Ships, with two Thirds Landmen that had never been at Sea before, would not make ſuch a Figure in an Engagement, as they have formerly been uſed to do: If our Squadron ſhould be defeated, and ſeveral of our Ships loſt, thoſe who are now complaining of our not having taken Landmen on board, would then, perhaps, change their Note, and complain as heavily of our having tarniſhed our Glory, loſt our Ships, and expoſed the Nation to be invaded, by taking too many Landmen on board, and that we had done better to put a Stop to our Trade for a Month or two, than to have expoſed ourſelves to ſuch Diſgrace, ſuch Loſs, and ſuch Danger.

'The Gentlemen who have the Honour of being at the Head of our Admiralty are, therefore, in the right, Sir, to

try

ry all Expedients rather than expoſe themſelves to ſuch Complaints: The Expedient now propoſed they cannot try without the Authority of Parliament: If that Authority be refuſed, now they have aſked it, they will in ſo far be juſtified, let the Conſequences be what they will. Whether this Expedient would be effectual no Man can tell, becauſe it is impoſſible to know what Numbers of Seamen are now lurking up and down the Country, or what Numbers of able-bodied expert Seamen are now employed in our Coaſting Trade. As to the former, we have Reaſon to believe, that there are great Numbers of them, becauſe no Merchant Ship is ever at a Loſs for Seamen, if ſhe can but get a Protection. Thoſe called the Crimps know where the Seamen may be ſent to, and when the Maſter of a Trading Veſſel wants ſuch a Number, that they are ready at a Call; but their Crimps take Care not to let the Government or any Preſs Gang know where they are to be met with.

'Then, Sir, as to the Number of able bodied, expert Seamen now employed in the Coaſting Trade, tho' I believe it to be much greater than the Honourable Gentleman repreſents, yet, I am convinced, it is not near ſo great as uſual in Time of Peace, not becauſe there are not many ſuch Seamen now in the Kingdom, but becauſe moſt of thoſe that are fit for his Majeſty's Service, and conſequently liable to be preſſed, now refuſe to be employed at Sea, and have retired up into the Country, where they live by ſome Employment at Land, or upon the Credit they have from their Crimps or their old Maſters, who know they can reimburſe themſelves with good Intereſt out of the firſt Wages the Seaman receives, when a ſafe Opportunity offers, for his being employed at the preſent high Wages in the Coaſting Trade or Merchant's Service.

'For theſe Reaſons, Sir, I believe the Expedient now propoſed would have a very great Effect, towards relieving us from our preſent Diſtreſs; and as I cannot think the Clauſe, with the Amendment I have propoſed, could have any bad Conſequence, I ſhall therefore be for its being paſſed into a Law.'

E.

SIR,

'When I look round me, I am ſurprized to find this Bill meet with ſo much Oppoſition. I believe we are all true-born Engliſhmen, I ſhould have ſaid true Britons, in this Houſe; and therefore I hope the Bill at laſt will meet with a general Approbation; for if there was a Frenchman or a Spaniard amongſt us, I am perſuaded, he would be againſt the E.

the Bill, eſpecially the Clauſe now under our Conſideration. He would frighten us with Slavery, and I do not know what, in order to prevent our agreeing to ſuch a neceſſary and uſeful Regulation. This, I am perſuaded, would be the Caſe, had we any ſuch Men amongſt us; and this of itſelf is with me a ſufficient Reaſon for agreeing to what is propoſed.'

F.

SIR,

F. 'I little ſuſpected that the Oppoſers of this Clauſe ſhould be accuſed of being Frenchmen or Spaniards. It is becauſe I am neither a Frenchman or Spaniard, nor a profeſſed or ſecret Friend to either, that I am againſt this Clauſe. I am a true-born Engliſhman, and as ſuch I have a ſincere Regard for the Liberties and Properties of my Countrymen; therefore I muſt be againſt a Clauſe which will render both precarious. I hope, I ſhall always be againſt ſuch Expedients, even tho' I ſhould thereby ſacrifice ſome private Intereſt or View of my own. If we had a Frenchman or Spaniard amongſt us, that underſtood any thing of Trade and Navigation, I am convinced, he would be a hearty Advocate for this Regulation: At leaſt I ſhould have a very bad Opinion, either of his Judgment and Foreſight, or his Attachment to his native Country, if he were not. If a Spaniard of good Underſtanding were amongſt us, he would certainly be for the Clauſe, becauſe it would force many of our Seamen into the Service of Spain. If Cardinal Fleury were a Member of this Houſe, I am ſure he would be for it; becauſe he would foreſee, that, in a ſhort Time, it would give his Country a Superiority over us at Sea, by forcing moſt of the Seamen we now have into foreign Service, and preventing any Engliſhman's breeding himſelf to the Sea for the future. But, I hope, the Cardinal has no Influence over any Member, far leſs over a Majority of the Houſe, and therefore, I hope to ſee the Clauſe rejected with Diſdain.

'If we are under any Diſtreſs, Sir, for want of Seamen, we have brought it upon ourſelves, by not encouraging Landmen to enter into his Majeſty's Sea Service at the beginning of the War, by refuſing many that were offered, and by raiſing Marching-Regiments, under the ſpecious Name of Marines, before we had half manned our Navy. At the beginning of the War we could not ſo much as apprehend, that either the Spaniards or the French would in a Twelve-month's Time be in a Condition to face our Squadrons any where at Sea; we might therefore have taken as many Landmen as we pleaſed on board our Navy, at the Beginning of the War, becauſe in a Twelve-month's Time many of them would have become

become expert Seamen, and all would have become fit for ſome ſort of Service on board our Men of War. It is a Miſtake to ſuppoſe, that the Sea-Climate in the Weſt-Indies is very obnoxious to our Landmen, if they are kept in Action and Exerciſe: But when our Ships are kept loitering in one Station, with Inſtructions not to attempt any thing againſt the Enemy, as they were at the Baſtimento's; in that Caſe, I ſhall grant the Weſt-Indian Climate would be obnoxious, any Climate would be obnoxious, to Men kept confined on board a Ship in ſuch an idle, ſpiritleſs and vexatious Situation; and it would be obnoxious to our Seamen as well as Landmen, as we found by fatal Experience in the Place I have mentioned. But at the beginning of this War, I hope no Squadrons were intended to be ſent to the Weſt-Indies with ſuch Inſtructions; therefore, if a great Number of young, vigorous Landmen had been ſent out, I believe they would have kept their Healths as well as our Seamen have done, and moſt of them would have been Maſters of their Buſineſs, before they could have met with any thing like Oppoſition at Sea.

'For this Reaſon, Sir, if we are now in any Diſtreſs for want of Seamen, I muſt impute it wholly to the wrong Meaſures we took at the beginning of the War; but ſuppoſe it to be partly owing to our not having kept a greater Number of Seamen in Pay during Peace, who are they that are to blame for this want of Foreſight? I am ſurprized to hear ſuch a Complaint mentioned by the Advocates for this Motion: Have not they or their Friends had the modelling of the public Expence for almoſt theſe twenty Years? Did they ever propoſe a Number of Seamen for any one Year, that was not agreed to by Parliament? Have not they been often blamed for reducing the Number of Seamen, in order to keep up an unneceſſary, dangerous, and oppreſſive Number of Land Forces? The Truth is, they have all along ſeemed to be more afraid of the People, than of the People's foreign Enemies; and therefore they neglected and reduced that Body of Men, which is moſt proper for defending us againſt foreign Enemies, in order to keep up and increaſe that Body of Men, which was moſt proper for defending them againſt the People.

'Thus, Sir, let us conſider our preſent Diſtreſs in what Light we will, we muſt ſee, that it was intirely owing to the bad Conduct of thoſe, who are the Advocates for this Clauſe; and the wrong Uſe they have made of the Powers they were poſſeſſed of, is, I think, no very good Argument for entruſting them with more. However, Sir, as I am for puſhing this War with the utmoſt Vigour, I ſhould be for the Clauſe propoſed,

propoſed, if I thought it could any way contribute towards relieving us from the Diſtreſs we are ſaid to be in; but as I think it would plunge us into farther and greater Difficulties, by driving into foreign Service many of our Seamen we now have amongſt us, and as I think it would be of the moſt dangerous Conſquence, both to the Liberty and Property of every Man in the Kingdom, I muſt therefore be againſt it.'

Mr. Pulteney.

SIR,

Mr. Pulteney: 'I did not think to have roſe up ſo ſoon in this Debate; but I find you are like to perplex yourſelves with amending a Clauſe that cannot be amended, and therefore I ſtand up to prevent, if I can, your giving yourſelves this unneceſſary Trouble. Sir, amend it what way you will, it will be a Clauſe, which no Engliſhman can agree to. I ſhould not look upon a Man as an Engliſhman, that would agree to ſubject himſelf to ſuch a ſlaviſh Power; to have his Houſe expoſed to a petty Conſtable and a Preſs-Gang at all Hours of the Night, is what no Gentleman that puts any Value either upon his Liberty or his Property will ſubmit to. I have the Honour, Sir, to repreſent the County of Middleſex, where there are many rich Freeholders; there are Juſtices of Peace too; theſe have done me many ill Offices, and have attempted to do me many more; for we know whoſe Tools moſt of them are. But I depend upon the Freeholders, and while I preſerve their Eſteem, I ſhall deſpiſe the Juſtices.

'Do Gentlemen think, Sir, that I will expoſe my own Houſe, or the Houſe of any Freeholder in England, to be broke open at the Pleaſure of an inſignificant Two-penny Juſtice of Peace, prompted by his own Malice or Reſentment, or directed by the revengeful Temper of a Miniſter? A Gentleman may have 500*l.* or 1000*l.* in Bank Notes in his Houſe; theſe, Sir, have no Ear-Mark: The Gentleman may not, perhaps, have taken the Number: If theſe ſhould be taken away, how could he recover them? He could not, perhaps, prove that he had any ſuch in his Houſe; if he could, whom could he ſue? Would it be poſſible to fix the taking of them upon any one Man of the Party? But if this could be done, would not a low Fellow of a Conſtable, or perhaps one of the Preſs-Gang, make his Eſcape, as ſoon as he had got Poſſeſſion of ſuch a Sum of Money? Thus, it would be impoſſible for the Owner to recover his Property, or to puniſh the Man that had robbed him. An Affidavit could be no Security againſt this Danger; they that will ſteal, will ſwear: Suppoſing the Juſtice to be no Party in the thieviſh Conſpiracy,

Conſpiracy, which I am far from reckoning impoſſible, a petty Conſtable, any common Fellow who knew I had ſuch a Sum of Money in my Houſe, might go before a Juſtice and ſwear, that I had Seamen concealed in my Houſe: The Juſtice muſt, by this Clauſe, grant his Warrant: he is required ſo to do: The Conſtable muſt make the Search; and the Affidavit-Man comes along with him, as one of the Preſs-Gang, perhaps when I and moſt of my Servants are gone to viſit a Neighbour, and whilſt the other Servants are attending to open the Doors of every Creek and Corner to the Conſtable, the Affidavit-Man may very probably find an Opportunity to break open my Scruitore, and take away my Money.

' But ſuppoſe, Sir, our Properties were ſafe, or could be made ſafe, againſt ſuch a Clauſe as this, would any Gentleman tamely ſubmit to have his Houſe ſearched, and himſelf and his Family diſturb'd, every Night for two or three Months together? Yet this might be the Caſe, if a Miniſter, or the Tool of a Miniſter, ſhould conceive a Pique againſt him for oppoſing them at any Election. We know how eaſy it is for Miniſters to find Affidavit-Men, and no Court in England could give the Gentleman any Redreſs, becauſe the Search was every Night made according to the expreſs Directions of an Act of Parliament. Even the Parliament itſelf could not give him Redreſs, if the Parties concerned in the Conſpiracy ſtood firm by one another: I ſay, Sir, even the Parliament itſelf could give no Redreſs, without exerciſing a more arbitrary Power, than I ſhall ever wiſh to ſee exerciſed by any Parliament in England; for no Man could ſay, the Affidavit-Man had taken a falſe Oath, when he ſwore he had Reaſon to ſuſpect, that Seamen would be that Night concealed in ſuch a Houſe; nor could the Parliament puniſh the Juſtice or the Conſtable, for doing what the Law required them to do. In ſhort, Sir, this Clauſe is ſo full fraught with Oppreſſion, and ſo dangerous to the Liberty, the Property, and the Quiet of every Man in England, not concerned in the executive Part of our Government, that I muſt think the Contrivers of it have a Fancy, that they and their Poſterity *in Sæcula Sæculorum* are to be the Miniſters and Magiſtrates of Great Britain.

' An honourable Gentleman, Sir, who argued for this Clauſe, as he had done for many others of the ſame Nature, has been pleaſed to favour us with his Advice, to lay aſide our Jealouſies and Fears, and entruſt our Miniſters with all ſuch Powers, as they ſhall call neceſſary for enabling us to act with Vigour in our national Capacity. This, Sir, is directly the Fable of the Fox and the Geeſe; but I hope we

ſhall not be ſuch Geeſe, as to take his Advice. Let our Miniſters aim at no extraordinary and dangerous Powers, and, I'll anſwer for it, the People will entertain no Jealouſies; but when a Miniſter has, during the whole Courſe of a long Adminiſtration, been aiming at ſuch Powers, and has obtained more than ever any Miniſter did, it is no Wonder to ſee Jealouſies and Fears ariſing among the People: It is rather to be wonder'd at, that thoſe Jealouſies are not more violent and more general than they are. We have of late Years had many dangerous penal Laws enacted; Laws which ſeem calculated rather for oppreſſing the Innocent, than puniſhing the Guilty. The late Smuggling-Act is a moſt terrible Law of this Nature. I travel often into a County well known to an honourable Gentleman near me; when I am there, I often walk about with a Gun upon my Shoulder, and with two or three Servants or Companions armed in the ſame Manner: Upon ſuch Occaſions, I confeſs, I am in ſome Pain, leſt I ſhould be taken up for a Smuggler; I know I might be taken up as ſuch, by Authority of the Law, becauſe I happen to be travelling with Arms, and within five Miles of the Sea Coaſt, or of ſome navigable River: Nay, I know I might be condemned and tranſported as ſuch, in Caſe one of my Servants ſhould happen, without my Knowledge, to have a Parcel of Tea or Lace in his Pocket, which a Friend of his had deſired him to carry to a Neighbour in the Country.

'It is true, Sir, no bad Uſe has as yet been made of that Law; but when we are conſidering whether or no a Government be arbitrary, we are not to enquire what they do, but what they may do; for whatever they may do, they will do, when they have neceſſary Occaſion for it. The King of France had an Army, and conſequently a Power to compel his Parliament to regiſter his Edicts, long before he attempted it. The Parliament of Paris had formerly a Negative in the Paſſing of Laws, as well as we in this Houſe have; they ſtill pretend to the Right, but now they dare not exerciſe it; and by Means of our Armies and our penal Laws, this Houſe may ſoon be brought into the ſame Circumſtances: The Chancellor of the Exchequer, the Attorney General, or the Secretary at War, may bring us a Bill, ready cut and dry'd, from his Majeſty, and tell us, the King commands us to paſs it. This Houſe, as it is compoſed at preſent, would, I know, diſdain to obey any ſuch Command; but by oppreſſing our Elections, by means of penal Laws, a Miniſter may get ſuch a Houſe choſen, as would refuſe nothing the Crown could deſire, and in that Caſe, I'm afraid, the Nation would find but little Relief in the other Houſe. Sir, to act with Vigour in our national Capacity, we have no Occaſion to entruſt our

Miniſters

Miniſters with any extraordinary Powers, or with a Multitude of penal Laws. The Nation has often acted with Vigour before theſe Powers were granted; it has never acted with Vigour ſince they were granted; nor can it, I believe, ever act with Vigour till many of them are repealed. New and extraordinary Powers, and a Multiplicity of penal Laws, render the People jealous, uneaſy, and diſcontented with their Government; and whilſt the People are ſo, however vigorouſly our Miniſters may act, in oppreſſing the People at home, and preventing their being able to do themſelves Juſtice, it will not be in their Power to act with Vigour abroad, or againſt a foreign Enemy: Therefore, the entruſting of our Miniſters with new and extraordinary Powers, inſtead of enabling us, will render it impoſſible for us to act with Vigour in our national Capacity.

'An honourable Gentleman propheſied to us, Sir, that our paſſing this Clauſe into a Law would prevent our Government's being under any Neceſſity, either to preſs, or to ſearch for Seamen; becauſe, if our Seamen ſhould ſee, that they could not, by abſconding, avoid being preſſed into his Majeſty's Service, they would all come and enter voluntary. Sir, it is not the firſt Time that honourable Gentleman and his Friends have appeared to be miſtaken in their Propheciés; if they had not, we ſhould have been engaged in no ſuch War as the preſent; and, I believe, they never found themſelves more out in a Prophecy, than they will find themſelves in this. Our paſſing this Clauſe into a Law, I ſhall grant, may put an end both to preſſing and ſearching for Seamen; not becauſe our Government will be under no Neceſſity for doing ſo, but becauſe it will be in vain for them to do ſo; for I am convinced, it would in a ſhort Time hunt every Seaman we have out of the Kingdom; and if we had no Seamen left, it would be needleſs for our Government to ſearch for them, and it would be impoſſible to preſs, when there is no Man to be preſſed.

'Our Seamen, Sir, are already expoſed to greater Hardſhips than our Landmen are: The latter are never preſſed into the Army, but cajoled and bribed into the Service; the former are preſſed into the Navy on every trifling Occaſion. I am ſure, I may ſay ſo from our Conduct of late; for though we have of late had many a hot Preſs for Seamen, they have never been ſent upon any Expedition, where they could gain Glory or Riches, either to themſelves or their Country. If to their former Hardſhips we add this now propoſed, they will all leave us; for a Britiſh Sailor will always be a welcome Gueſt to any Power in Europe. It is impoſſible, Sir, to amend this Clauſe ſo, as to make it good; therefore,

therefore, do not let us be wire-drawn by Amendments into the Paſſing of a Clauſe which, amend it as you will, muſt deſtroy the very End for which it is ſaid to be intended: It is directly the Cucumber; pare it, ſlice it, ſqueeze it, put what Ingredients you will to it, yet ſtill it will be fit for nothing but being thrown out at Window.'

G.

SIR,

G. 'As I am deſcended of a Family that has never been deficient in their Duty to their Country, and has, upon former Occaſions, taken Arms in Defence of its Liberties and Privileges, I ſhould be ſorry if I degenerated ſo much from the Virtue of my Anceſtors, as to approve of any Regulation that might be of dangerous Conſequence to the Liberties of my Country; but I am ſo far from looking upon the Regulation now propoſed in this Light, that, I think, not only our Liberties but our Independency as a free Nation will be in the utmoſt Danger, if it is not agreed to; for if our Government is not enabled to defend us againſt foreign Attacks, we ſhall certainly be conquered by the firſt Nation that is bold enough to invade us.

'I have examined the Clauſe, and attended to the Debate, I hope, impartially, and I muſt confeſs, I can ſee none of thoſe dangerous Conſequences that have been ſuggeſted by thoſe who have ſpoke againſt the Clauſe: Our Apprehenſions ought all, I think, to be upon the other Side of the Queſtion; for if we do not expoſe our Houſes to the Danger of being ſearched for abſconding Seamen by our own Magiſtrates and Officers, they will be expoſed to the Danger of being plundered by invading Spaniards or Frenchmen. We may preſcribe Limits to the former: We may puniſh them if they exceed thoſe Limits; but the latter we can neither limit nor puniſh; and ſurely the Danger of being plundered is of much greater Conſequence than the Danger of being ſearched.

'I wiſh Gentlemen would judge more candidly of one another's Behaviour: I am afraid, Sir, there are ſome amongſt us who judge from Envy and Reſentment. Such Paſſions will always create Jealouſies and Fears, and ſuggeſt Apprehenſions for which there is not the leaſt Foundation. We ought to behave like Chriſtians towards one another; if we did, we ſhould never judge raſhly of the Thoughts or Actions of other Men; but would behave with Meekneſs, Humility, and Forbearance, which are ſo neceſſary for the Preſervation of Society, and for keeping up a friendly Intercourſe among Men. As I ſhall always endeavour to follow this Precept, I cannot

cannot ſuſpect thoſe who propoſed this Clauſe of any bad Intention, and if it ſhould hereafter give Riſe to any ſort of Oppreſſion, it may eaſily be amended or repealed; therefore to relieve us from the preſent Neceſſity, and to prevent the like in Time to come, it ought, I think, to be approved of.'

H.

SIR,

' It is ſomething ſurpriſing, that this Nation ſhould have ſubſiſted free and independent for ſo many Ages, and yet ſhould now be in ſuch Danger of being conquered by France or Spain, that we muſt enable our Miniſters to conquer us, in order to prevent our being conquered by Foreigners. Is not this, Sir, *ne moriaris, mori?* It may preſerve, it may even increaſe the Independency of our Miniſters, becauſe it will render them independent of the People, which they ought never to be; but it will deſtroy the Liberties of the People; and as we ſit here chiefly to preſerve the Liberties of the People againſt the Encroachments and Uſurpations of Miniſters, how could we anſwer it to our Conſtituents? To mine I could ſay nothing, but only that I had made myſelf as great a Slave as I had made them: To them, and I believe to moſt others in England, it would be no Excuſe to ſay, that if we had not done ſo, we ſhould all have been conquered by France or Spain; for whatever our Miniſters and their Friends may pretend, I am ſure, the People of Great Britain are under no Apprehenſions of their being conquered by either of theſe two Powers. H.

' Every one knows, Sir, that the Freedom of our Conſtitution conſiſts principally in the Freedom of our Elections; and the Freedom of our Elections conſiſts in its not being in the Power of a Miniſter, or any great Man, to hurt an Elector, on Account of his voting contrary to his Orders at any Election. Would this be the Caſe, if this Clauſe ſhould be paſſed into a Law? Might not a Miniſter, or his Tools the Juſtices of Peace, harraſs a ſtubborn Elector out of his Life, or at leaſt out of his Buſineſs, by ſending a Conſtable and a Preſs-Gang every Night, or every other Night, to ſearch his Houſe for abſconding Seamen? The Interpoſition of an Affidavit would no way mend the Matter; for when there is no Danger of incurring the Penalties of Perjury, as there could be none in this Caſe, an Affidavit is eaſily obtain'd, eſpecially when the Affidavit-Man is ſure of being protected, as well as rewarded by a Miniſter of State. We know what Uſe has been made of the Power of quartering Soldiers upon Public-houſes; we know that Innkeepers, and even Boroughs, have ſometimes been made to ſuffer by that Means,

Means, for their having diſobliged miniſterial Orders at E lections: This, I am convinced, has been done; it may eaſ be done, without any Poſſibility of its being proved; be cauſe the Act is legal, the Crime conſiſts ſingly in the Int tion, which People may ſuſpect, but cannot prove. This ſearching would be attended with the ſame Convenience Miniſters and their Tools, and the Effect would be much tenſive; becauſe quartering of Soldiers is confined to Pu lic-houſes; but this of ſearching for Seamen is to be extend ed to all Sorts of Houſes, even to the Houſes of the beſt No blemen in the Kingdom.

'For my Part, Sir, ſhould we agree to this Clauſe, I ca have no Notion that the other Houſe will: We may, if we pleaſe, lay our own Houſes open, at all Hours of the Nigh to petty Conſtables and Preſs Gangs; but I cannot think the Lords will lay their Houſes open at ſuch Times, or make Viſitations. They will certainly except the Houſes of all Peers and Peereſſes; and if the Bill ſhould be returned to with ſuch an Exception, would you paſs it into a Law? I am therefore of Opinion, that if this Clauſe ſtands in the Bill, it will occaſion the Loſs of the Whole; and as I am for the firſt Clauſe, which enables the Government to give a Reward of 5 l. to every Seaman that ſhall voluntarily enter into his Majeſty's Service, I muſt therefore be againſt a Clauſe which, I think, will occaſion the Loſs of the whole Bill.

'But ſuppoſe, Sir, I were aſſured, that the other Houſe would be as complaiſant to our Miniſters, as ſome in this Houſe to be, the Clauſe is in itſelf of a Nature ſo dangerous to our Conſtitution, that I muſt be againſt it: It gives ſuch an extenſive Power to Juſtices of Peace and their Conſtables, ſo repugnant to the Spirit of our Law, and inconſiſtent with our Conſtitution. Our Juſtices of the Peace are generally too apt to favour the Cauſe of the Crown, rather than that of the Subject: Nay, many of them are but too apt to become the mere Tools of a Miniſter, and to make uſe of all the Powers they are inveſted with according to his Directions. And ſuppoſe it were otherwiſe; ſuppoſe they were all inclined to favour the Subject, and Enemies to all manner of Oppreſſion; in this Caſe they cannot prevent it, when a Miniſter inclines to oppreſs: Even with the Amendment propoſed they cannot prevent it. They muſt give the Oath to the Perſon that comes to inform; they muſt thereupon grant their Warrant for ſearching the Houſe informed againſt, and the Conſtable muſt execute the Warrant, even tho' both were fully convinced of the Falſhood of the Affidavit, and that it was ſworn to with a Deſign to oppreſs, or in order to ſatisfy the Malice and Revenge of a Miniſter, or perhaps that of the Informer himſelf.

I ſhall

' I ſhall admit, Sir, that the Government has a Right to the Service of every Seaman, when the Safety of their Country requires their Service; and I know it has been the Practice to preſs Seamen upon ſuch Occaſions: Whether the Practice be eſtabliſhed by Law, I ſhall not take upon me to determine; but ſo far I may ſay, that the Method of Preſſing ought never to be practiſed, except when the Nation is in the moſt imminent Danger. On ſuch Occaſions the King has, I know, a ſort of dictatorial Power, and therefore may preſs Men either for the Land or Sea Service; for I do not think there is by Law any real Difference between the two; and therefore I muſt think it both againſt Law and Reaſon to preſs Seamen on every trifling Occaſion, as has been the Practice of late Years; for from the Year 1718 to the breaking out of the War, I do not think there was ever any juſt Occaſion for a Preſs, and yet we have had ſeveral within that Period. Upon great Occaſions indeed, and when the public Safety abſolutely requires it, the Government has a Right to the Service of every Seaman in the Kingdom, till his Majeſty's Navy be fully ſupplied; and then I will allow, that every Seaman in the Kingdom, who abſconds, is criminal; but ſurely we are not to take away the Liberty of the Subject in general, for the ſake of bringing them to their Duty.'

I.

SIR,

' Tho' I cannot pretend to no more than to reſume or enlarge upon ſome of the Arguments that have already been mentioned in this Debate; yet, as it is a Matter of ſuch Conſequence, I think it my Duty to give you my Sentiments upon the Subject; and as the Arguments for and againſt this Clauſe may be ranked under two Heads, thoſe that relate to the Benefits that may ariſe from its being paſſed into a Law, and thoſe that relate to the Dangers and Inconveniencies we may be expoſed to by our agreeing or diſagreeing to this Clauſe, I ſhall begin with the firſt. Sir, if there be any Seamen now lurking any where in the Britiſh Dominions, and I think it has of all Sides been admitted there are ſome, this Law will certainly be of great Advantage to our Trade, becauſe it will enable our Government to find out and preſs the lurking Seamen into the Service of the Navy, and conſequently will leave a great Number of Seamen to be employed in the Merchants Service. The Navy, it is certain, muſt be ſupplied, even tho' ſome Branches of our Trade ſhould be ſtopt for a while; what can be more beneficial to our Trade, than that of taking firſt thoſe Seamen, who now refuſe to enter into the Government's or Merchants Service?

I remem-

‘ I remember, Sir, two Years ago, when War was ſo much ſought after, and ſo violently inſiſted on, by almoſt all Ranks of People, no Man pretended to have any Apprehenſions of our Trade's ſuffering by the War: Surely it was not then imagined, that our Trade could be carried on in Time of War with the ſame Eaſe and Security, as in Time of Peace; for our Trade muſt ſuffer by War, let the War be conducted in what Manner it will; yet ever ſince the War has been declared, every little Inconvenience our Trade lies expoſed to has been ſet in the ſtrongeſt Light, and clamoured againſt in the moſt violent Manner; and now, when a Method is propoſed for obviating moſt of the Inconveniencies our Trade lies expoſed to, it is oppoſed, and repreſented as a Step to arbitrary Power. Is this candid, Sir? Is it a fair way of treating thoſe, who are entruſted with the Conduct of our public Affairs?

‘ But to return to my Subject, Sir. I have ſhewn how beneficial this Clauſe may be to our Trade; and next, with regard to our Seamen, would it not be a great Benefit to our Seamen in general, if all of them were obliged to take their Turn in the Navy, and no Man obliged to ſerve there longer than his Turn? That this would be the Conſequence of the Law now propoſed is, I think, apparent; becauſe if the Government had Choice of Seamen, they would certainly chuſe thoſe able Seamen that had been longeſt at home, or longeſt out of the Government's Service. Such a Law could be inconvenient to none, but ſuch as refuſe to take their Turn in the Government's Service, and abſcond in order to avoid their being preſſed into that Service; and as they are allowed to be criminal, the forcing them to their Duty cannot ſurely be reckoned an Inconvenience to the Public.

‘ Laſtly, Sir, with regard to the Proſecution of the War, it would certainly be a great Advantage to us to have Plenty and Choice of Seamen always at the Government's Command. I cannot ſay that this would be, ſo much as I could wiſh, the Effect of our paſſing this Clauſe into a Law, becauſe I do not think we have at preſent a Stock of Seamen in the Kingdom, ſufficient for anſwering both the Merchants and the Government's Demand; but we ſhould certainly have a greater Plenty of Seamen, if all of them were within the Government's Reach, and obliged to enter in one or other of theſe Services, than when a third, a fourth, or any Part of them are abſconding in Country Places, where they can be of no Service either to themſelves or their Country; and the greater Plenty of Seamen we have, the more vigorouſly we ſhall be able to puſh the War, which will of courſe enable us to put a more ſpeedy and honourable End to it than we

can

can do otherwiſe. This will be another Advantage to our Trade, beſides that I have already taken Notice of, and ſhould be a prevailing Argument with every Man that wiſhes well to his Country, to approve of this Clauſe.

'Now, Sir, with regard to the Dangers that may ariſe from our agreeing or diſagreeing to this Law: As thoſe which may ariſe from our rejecting this Clauſe have already been ſet in a very full and clear Light, I ſhall only take Notice of a few of thoſe Inconveniencies which, it is ſuggeſted, may ariſe from the Law propoſed. Upon this Head we are told, that the Power of breaking open People's Doors, by Night or by Day, will be a moſt grievous Inconvenience to private Men, and a Power of the moſt dangerous Conſequence to our Conſtitution. For God's ſake, Sir, is this the firſt Time that ever ſuch a Power was eſtabliſhed in this Kingdom? Have not our Conſtables already ſuch a Power in many Caſes, when they have a proper Warrant from a Juſtice of the Peace? Beſides the Caſe of Felony, they have the Power to break open Doors in ſearch of uncuſtomed or prohibited Goods, and in the Caſe of Goods carried off and concealed in defraud of the Landlord for his Rent. Was it ever known, was it ever ſo much as complained of, that this Power was oppreſſively uſed, or that it was turned towards the influencing of Elections? This is therefore a Danger that from Experience appears to be chimerical; and I hope the Manning of his Majeſty's Navy will be admitted to be of more Conſequence to the Public than the Recovery of any ſuch Goods.

'We have been likewiſe told, Sir, that the eſtabliſhing of ſuch a Law will be ſuch a Grievance to our Seamen as will frighten them all out of the Kingdom. As to this, Sir, I have already ſhewn, that it will be a great Advantage to all Seamen who do not abſcond, and thoſe, I hope, are the greateſt and beſt Part of our Seamen. But even as to Seamen that do abſcond, it could be no ſuch additional Grievance as would force them into foreign Service; for, with regard to the Preſſing of Seamen, I muſt really think, our Law is a little whimſical. A Seaman may be preſſed if found on board a Ship: Nay the Ship may be ſearched for him. He likewiſe may be preſſed if found in the Streets, Highways, or Fields; but if he gets into a Houſe, and gets a Door ſhut upon himſelf, he may look out at the Window and laugh at the Preſs-Gang: therefore to make our Law conſiſt with itſelf, I think, we ought to give a Power to the Civil Officer to ſearch the Houſe, and even to break open Doors in Caſe of Non-admittance. This would not be ſo great a Hardſhip upon abſconding Seamen as the Penalties now inflicted by Law upon abſconding Watermen or Bargemen; for if they do not ap-

pear at Watermens Hall when called on, in order to be ſent into the Service of the Navy, they are by Law ſubjected to ſeveral Penalties, and yet we do not find, that this Regulation has forced them abroad, or any way leſſened their Numbers. From all which I muſt conclude, Sir, that the Nation will reap great Advantages from this Clauſe if paſſed into a Law, without being expoſed to any Inconvenience or Danger; and therefore, I hope, it will be agreed to.'

K.

SIR,

K. 'I am ſurprized to find Gentlemen expreſs ſo much Impatience, as ſome begin to ſhew in this Debate. I hope no Gentleman comes here with a Reſolution to give his Vote upon either Side of any Queſtion that may be ſtarted, till he has heard what may be ſaid for or againſt it; and therefore, in a Queſtion which ſo nearly concerns the Liberties of our Country, I cannot but be ſurprized at ſeeing Gentlemen expreſs an Unwillingneſs to hear the Argument fully diſcuſſed. If they will not be at the Pains to let us hear their Sentiments upon it any other way than by their Aye or Nay, they ought to attend patiently to thoſe that will; for tho' theſe Monoſyllables may determine the Queſtion, I am ſure neither of them will ever convince any reaſonable Man in the Kingdom.

'I have not the Vanity, Sir, to imagine, that what I have to ſay will have great Weight with the Majority of this Aſſembly; but, in Duty to my Conſtituents, I think myſelf obliged to uſe my Endeavours, and as a Member of this Houſe, I have a Right to be heard. The Queſtion now before us is not ſimply, Whether we ſhall agree to this Clauſe or no? It is, Whether we ſhall agree to put an End to our Conſtitution, and make Slaves of ourſelves, our Conſtituents and Poſterity? For this, in my Opinion, will be the certain Conſequence of our agreeing to this Clauſe, however amended. That our Liberties, nay and our Properties too, depend upon the Freedom of our Elections, is a Maxim which, I believe, no Man will conteſt. A corrupt Parliament may, for a Time, ſupport an oppreſſive and wicked Miniſter; but a Parliament is but the Stream, our Elections for Parliament-Men are the Fountain-Head, and as long as they are left free and uncorrupted, the Stream will of courſe refine, and will at laſt become as pure as the Fountain from whence it flows. But this Clauſe, Sir, ſeems to be contrived for poiſoning the Fountain itſelf, and for rendering all the Elections in the Kingdom dependent upon the Will of every future Miniſter.

'Let us conſider, Sir, that the Freedom of a Man's Vote at any Election may be taken away, not only by an immediate

diate Bribe in ready Money or Bank-Notes, but by the Hopes of being rewarded for his Compliance, or the Fears of being made to ſuffer for his Stubbornneſs; and if we conſider how much a Miniſter has it already in his Power to make uſe of every one of theſe Methods, we ſhall be extremely cautious of making any new Additions to that Power. That our Miniſters have now a much greater Command of ready Money, than they formerly uſed to have, can be denied by no Man, who conſiders the late Increaſe of the Civil Liſt Revenue, the great Sums of late Years allow'd even in Time of Peace, for Secret-Service-Money, and the Savings that may be made out of the vaſt Sums now granted for the current Service. I believe, Sir, it will be as little conteſted, that our Miniſters have now a much greater Number of lucrative Poſts and Employments at their Diſpoſal than any foreign Miniſters ever had in this Kingdom. Theſe, Sir, are a two-edged Sword in the Hands of a Miniſter; they ſerve not only for cultivating the Hopes of the Compliant, but for increaſing the Fears of the Stubborn at Elections; and by our late Practice they are now become more uſeful in both theſe reſpects, than ever they were before. It is now become a general and an eſtabliſhed Opinion, that no Man is to expect, or to hold any Poſt or Employment in the Government, unleſs he, and all thoſe over whom he has any Influence, take Care to vote at every Election according to the Directions of the Miniſter. What an Effect this muſt have at all Elections, Gentlemen may eaſily imagine: If an Elector has any thing mercenary in his Temper, he will certainly vote according to Court-Directions at every Election, in hopes that he, his Son, his Brother, or ſome near Relation, may get a Poſt, or a Preferment, in the Service of the Government; and it is a great Hardſhip upon honeſt Men, I mean thoſe who vote upon all Occaſions according to Conſcience, to find themſelves excluded from all the Benefits that are to be reaped by ſerving their Country in a public Capacity. Whether it is ſo or not, I ſhall not pretend to ſay; but I am ſure it is generally thought that no Man is now deemed capable to ſerve his Country, unleſs he be ready, upon all Occaſions, to ſacrifice the Liberties of his Country to the Dictates of thoſe, who have the Diſpoſal of our public Employments; and this of itſelf would in moſt Countries be ſufficient for eſtabliſhing arbitrary Power.

'But, Sir, to the Honour of my Country, I muſt obſerve, that here it has been found otherwiſe. Our People have in their Temper ſuch a laudable Stubborneſs, and ſuch a Love of Independency, that in moſt Places, eſpecially in our Counties, a Majority of them cannot be influenced, either by preſent Rewards or future Hopes, to give up their Independency

at Elections. If they can but live and follow their Buſineſs in a private way, they chuſe to forego the Honour and Advantage of ſerving their Country in a public Capacity, rather than vote according to a Miniſter's Direction at any Election; and for this Reaſon divers Methods have been contriv'd, and ſeveral Schemes laid, for making it impoſſible, or at leaſt very troubleſome, for a Man to live and follow his Buſineſs in a private Way, unleſs he ſubmits to vote for the Court-Candidate at every Election. This, Sir, has, I am convinced, been, with ſome Gentlemen, the chief Motive for promoting ſeveral of thoſe penal Laws, that are now ſubſiſting; and this leads me to conſider the third Method of overawing Elections, by ſubjecting the Electors to the fear of ſuffering by their Stubborneſs. In a Country where there is a Multitude of penal Laws, and eſpecially when thoſe Laws not only puniſh but create Crimes, Innocence can be no Protection againſt the Malice or Revenge of thoſe, who are entruſted with the executive Part of the Government. A Man may, without knowing it, be guilty of a Breach of ſuch intricate Laws; and even when he is guilty of no Breach, he may be plagued and haraſſed out of his Life, or at leaſt out of his Buſineſs, by the Government's Officers: In ſuch Circumſtances, he muſt not only be a very honeſt, but a very brave and reſolute Man, who will dare to vote at any Election contrary to thoſe Menaces that are whiſpered to him by the Tools of a Miniſter; and if we conſider what Numbers of Electors are already brought into ſuch Circumſtances, by the many penal Laws lately enacted, we ſhall have more Reaſon to wonder at any Election's being carried againſt a Court-Intereſt, than at the Miniſter's having the Direction of moſt of the Elections in the Kingdom.

'When our Liberties are in ſo great Danger; when there is ſo much Reaſon to apprehend the Prevalence of a Court-Influence upon every Election in the Kingdom, ſhall we paſs a Law, which will enable a Miniſter to diſtreſs every Man in the Kingdom, that ſhall dare to diſobey his Orders at any Election? I ſay, Sir, every Man in the Kingdom; for this Law will enable a Miniſter to diſtreſs not only our Seamen, but every Man in the Kingdom, that has a Houſe over his Head. As for our Seamen, they muſt certainly be abſolute Slaves to the Will of every future Miniſter; or otherwiſe, let their Rank or Condition be what it will, they muſt expect to be preſſed into his Majeſty's Service, and obliged to ſerve before the Maſt. The Preſſing of Seamen into his Majeſty's Service is, 'tis true, an antient Practice, and a Practice which of late Years has been too often made uſe of; but it is as yet warranted by no expreſs Statute: It ſtands ſingly upon the Footing

Footing of Common Law and Prerogative, therefore this Power muſt always be exerciſed at the Peril of the Miniſter; and if it ſhould be exerciſed unneceſſarily, or in a more oppreſſive Manner than is neceſſary, it would be a Miſdemeanor, for which the Adviſers might be proſecuted and puniſhed in Parliament. Thus, Sir, the Law ſtands at preſent; but by this Clauſe the Practice of Preſſing is to be authoriſed by an expreſs Statute, and that without any Limitation as to the Neceſſity or Time of Preſſing, or as to the Seamen or Seafaring Men that are to be preſſed.

'Seamen or Seafaring Men, Sir, are ſuch general Words, that they may comprehend a great many Gentlemen, who never dreamt of their being Seamen. When a Gentleman is favoured with his Paſſage on board any of his Majeſty's Ships of War, I have been told, it is uſual to put his Name upon the Ship's Books, as a Seaman on board that Ship, and ſome one of the Officers on board is allowed the Advantage of receiving his Pay: If this Clauſe ſhould be paſſed into a Law, every ſuch Gentleman might be preſſed into the Service; and if he ſhould deny his being a Seaman, the Books of that Ship would be produced, as an inconteſtable Proof of his being a Seaman. Beſides, Sir, there are many real Seamen, who ought not to be preſſed as common Seamen; Commanders, and ſeveral other Officers belonging to Merchant-Ships, ought not to be preſſed into his Majeſty's Service as common Seamen. In like Manner, when a Man has left the Sea Service, and is ſettled in ſome good Buſineſs at Land, he ought not to be preſſed into his Majeſty's Sea-Service; but if this Clauſe be agreed to, we are to authoriſe Preſſing without any Reſtriction or Limitation; ſo that not only Seamen in actual Service, but every Man that had been at Sea, or in any Buſineſs upon the Water, will be liable to be preſſed as common Seamen, and conſequently, will be ſubject to that ſort of Court-Influence, which proceeds from the Fear of being made to ſuffer for any ſort of Diſobedience to the Will of a Miniſter; and can we expect, that ſuch Men will vote freely at any Election, where there is an Oppoſition to the Court-Candidate?

'But this, Sir, is not all: Such a Law as this will have a moſt fatal Effect upon the Freedom of our Elections, not only with regard to all ſuch as are or have ever been at Sea, or in any Buſineſs upon the Water, but with regard to every other Man in the Kingdom, that happens to be a Houſe-keeper. Quiet and Security at home is an Advantage, which every Man muſt deſire, and conſequently, being diſturbed by unwelcome Gueſts, or at unſeaſonable Hours, is a Danger which every Man muſt dread. By this Law you are to put it in the

Power

Power of a Miniſter to diſturb any Houſe-keeper in the Kingdom as often, and at ſuch Hours, as he thinks fit; and conſequently every Houſe-keeper in the Kingdom muſt be under a continual Terror of doing any Thing that may provoke the Miniſter to make uſe of this Power againſt him. The Interpoſition of an Information upon Oath will be no Reſtraint upon this Power; becauſe Miniſters are generally well provided with Informers of all Kinds, and the more wicked and oppreſſive a Miniſter is, the more of this Vermin he always has about him, and the more profligate they are. In my Opinion, it will be ſo far from diminiſhing, that it will increaſe the Danger of this Clauſe; becauſe Juſtices are to be not only empowered, but required to grant their Warrant, and Conſtables are obliged to execute the Warrant of the Juſtices. If you leave it as it ſtands at preſent, the Execution of the Law muſt be regulated, or at leaſt it ought, I think, to be regulated by the preſent Practice in the Caſe of Vagrants. When the Juſtices grant their Warrant for a general Search after Vagrants, and other idle and diſorderly Perſons, the Conſtables are not to ſearch every Houſe in the Diſtrict; they are to ſearch no where but in Night-Houſes, or Houſes of ill Repute; and if they ſhould diſturb Houſes of good Character, by virtue of ſuch a Warrant, they might be proſecuted, and would be puniſhed; and therefore, as this Law now ſtands, the Conſtables could, in my Opinion, ſearch no where but in Houſes reputed to be Harbourers of abſconding Seamen. This, I ſay, is my Opinion; but if the Clauſe ſhould be paſſed into a Law, I ſhall not ſay, that my Opinion would be aſked or followed, and therefore I do not think we ſhould agree to a Law, which, by too extenſive an Interpretation, might be made of the moſt dangerous Conſequence, both to the Liberties of our Country, and to the Property of every Subject.

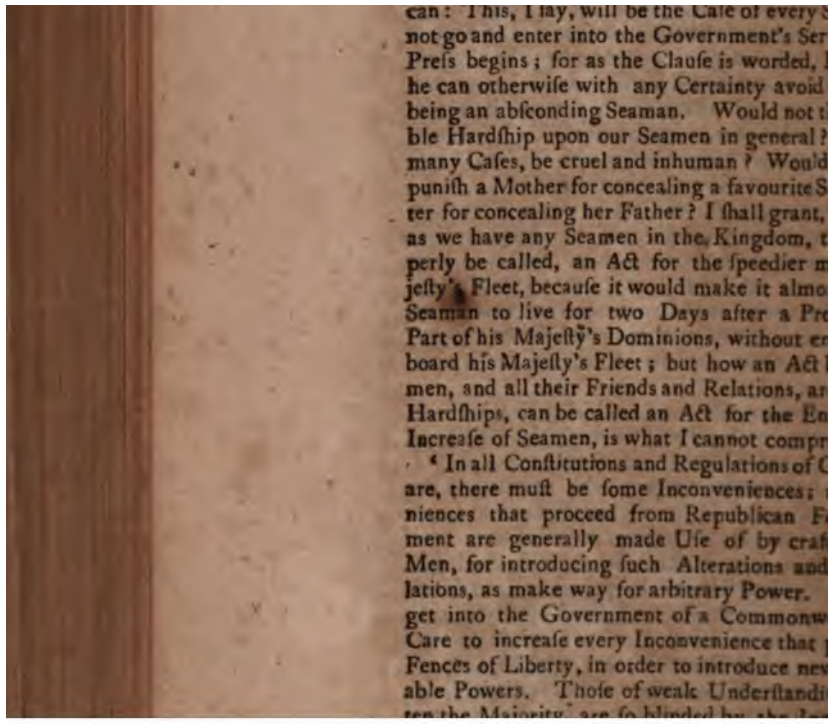
'But, Sir, if you make the Amendment propoſed; if you require the Juſtice to grant his Warrant upon the Oath of any Informer, you will make the evil Conſequences of this Law certain and unavoidable. The Juſtice muſt then grant his Warrant, and the Houſe muſt be ſearch'd, let the Character of the Houſe be never ſo good, let the Character of the Informer be never ſo bad. This, Sir, is more than is done even in the Caſe of Felony: a Juſtice is empowered to grant his Warrant to ſearch a Houſe upon Information on Oath, that there is Cauſe to ſuſpect ſtolen Goods being concealed in that Houſe; but he is not required ſo to do: He may and ought to refuſe granting his Warrant, if the Informer be a mean Perſon, or one of a bad Character; and if, upon ſearching, no ſuch Goods be found, the Informer would be made an-

anſwerable for all Damages ſuſtained by ſuch Search: Nay, the Juſtice himſelf would be made anſwerable, if it ſhould appear, that he had granted his Warrant upon the Information of an inſufficient Perſon.

'I therefore wiſh, Sir, that the Honourable Gentlemen employed in drawing up this Bill, had conſidered a little better the Conſtitution and the Laws of their Country; for from the Bill, as it ſtands at preſent, the People without Doors will be apt to imagine, they have very little Regard to the Liberties, the Properties, or the Eaſe of the Subject, provided they can but increaſe the Power and Influence of the Crown. From what I have ſaid it will, I think, appear, that if we are to authoriſe Preſſing by an expreſs Statute, we ſhould take Care to lay it under ſeveral Reſtraints. It ought never to be allowed, but in Caſes of the moſt extreme Neceſſity, and when we ourſelves, or ſome of our beſt Allies, are in the moſt imminent Danger of being invaded; for, notwithſtanding the Lowneſs of the Wages in his Majeſty's Service, a common Seaman has ſo many Advantages in that Service above what he has in the Merchants Service, that, if proper Care be taken to uſe them well, when they are on board our Ships of War, and not allow the Officers to oppreſs them, or cheat them of what is their Due, our Government can never be at a Loſs for Seamen upon any ordinary Occaſion; and when it has Time to ſend Sea-Officers about, in the ſame manner as Land Officers are now ſent, with Money in their Pockets to beat up for Volunteers.

'In paſſing ſuch a Law, Sir, we ſhould likewiſe take Care, that thoſe who are in any ſuperior Station in the Merchants Service, ſhall not be preſſed as common Seamen into his Majeſty's Service; and that thoſe Seamen who have left off the Sea-Service, and are ſettled in ſome good Buſineſs at Land, ſhall not be preſſed into his Majeſty's Service at Sea; for if we eſtabliſh Preſſing by Law, without ſuch Reſtrictions, it will deſtroy our very Breed of Seamen, by preventing any Man's breeding himſelf to the Sea for the future, and by driving moſt of the Seamen we now have into foreign Service; for tho' they know that in other Countries they muſt be as much Slaves as they are in their own, they will nevertheleſs have this Comfort, that in ſuch Countries they are upon an equal Footing with the reſt of the People; whereas in this Country, if we eſtabliſh Preſſing by Statute, without proper Reſtrictions, every Seaman, let his future Fortune be never ſo conſiderable, muſt be a Slave to our Miniſters, and whilſt we have any Liberty left, which, I am afraid, would not be long, they will with Regret look upon themſelves as the only Slaves in the Nation.

But



can: This, I ſay, will be the Caſe of every
not go and enter into the Government's Ser
Preſs begins; for as the Clauſe is worded,
he can otherwiſe with any Certainty avoid
being an abſconding Seaman. Would not t
ble Hardſhip upon our Seamen in general?
many Caſes, be cruel and inhuman? Would
puniſh a Mother for concealing a favourite S
ter for concealing her Father? I ſhall grant,
as we have any Seamen in the Kingdom, t
perly be called, an Act for the ſpeedier m
jeſty's Fleet, becauſe it would make it almo
Seaman to live for two Days after a Pre
Part of his Majeſty's Dominions, without er
board his Majeſty's Fleet; but how an Act
men, and all their Friends and Relations, ar
Hardſhips, can be called an Act for the En
Increaſe of Seamen, is what I cannot compr
'In all Conſtitutions and Regulations of G
are, there muſt be ſome Inconveniences;
niences that proceed from Republican F
ment are generally made Uſe of by craf
Men, for introducing ſuch Alterations and
lations, as make way for arbitrary Power.
get into the Government of a Commonw
Care to increaſe every Inconvenience that
Fences of Liberty, in order to introduce new
able Powers. Thoſe of weak Underſtandi
ten the Majority, are ſo blinded by the

tions and Laws of the moſt dangerous Conſequence to Liberty: and if the late famous Exciſe Scheme had ſucceeded, our Liberties had been utterly undone: becauſe it would have done what, I think, will be the Conſequence of the Scheme now under our Conſideration: It would have made our Miniſters Maſters of every popular Election in the Kingdom. Inſtead of lowering our Duties, and correcting the Neglects and Abuſes of our Cuſtom Houſe and Exciſe-Officers, which would have been the proper, and I believe an effectual Method for preventing Smuggling, almoſt every Seſſion has produced ſome new Scheme for increaſing the Powers of thoſe Officers; and I am afraid, their Neglects and Abuſes have been connived at, in order to increaſe the Inconveniences we feel from Smuggling, that thoſe Inconveniencies might afterwards be made a Pretence for veſting ſome new dangerous Power in our Government.

'Upon this Subject, Sir, I cannot let paſs unobſerved the late famous Gin Act. By the eſtabliſhed Laws of the Land, before that Act was paſſed or thought of, no Perſon could ſell Beer, Ale, or ſpirituous Liquors by Retail, without a Licence from the Juſtices of Peace: The Juſtices had a Power to refuſe granting their Licence, or to recal it when they pleaſed; and if any one ſold ſuch Liquors without a Licence, he was by Law made liable to ſevere Penalties. Beſides this, there were ſevere Laws againſt all ſuch as allowed Drunkenneſs or Tipling in their Houſes; and moreover, there were ſeveral of our Gin-ſhops that might, I believe, have been indicted as a public Nuſance. By a Neglect of all theſe Remedies, Tipling and Drunkenneſs in Gin-ſhops and Ale-houſes came to a monſtrous Height, and was generally complained of, and often preſented by our Grand Inqueſt without any Redreſs, becauſe our Juſtices of Peace, who are entirely under the Direction of our Miniſters, would not put the Laws in Execution againſt theſe Enormities. At laſt, when the People were work'd up to a ſufficient Rage againſt theſe Enormities, we were told that the Laws in being were not ſufficient for preventing them; and tho' every one that underſtood the Law knew the contrary, we were prevailed on to agree to a new Law, by which a very great Addition was made to the Civil-Liſt-Revenue, and every Vintner, Inn-keeper, Ale-houſe-keeper, Victualler, Coffee houſe, and Brandy-ſhop in the Kingdom, brought under a moſt ſlaviſh Dependence upon our Juſtices of the Peace and Commiſſioners of Exciſe.

'That theſe were the Effects of the Gin-Act muſt be apparent, Sir, to every one who conſiders, that the great Increaſe of the Civil-Liſt-Revenue, pretended to ariſe from its Share of the Duties upon ſpirituous Liquors, was owing to

the Enormities complained of, which were, perhaps, for that very Reaſon indulged; and for the ſame Reaſon perhaps it was pretended, that no Stop could be put to them by the Laws in being, becauſe if a Stop had been put to them that way, the Increaſe which had aroſe to the Civil-Liſt Revenue, by indulging thoſe Enormities, would have been annihilated, without any Recompence from the Aggregate Fund. And if we conſider the Neceſſity every Keeper of a Public-Houſe lies under, for ſelling ſpirituous Liquors in ſmall Quantities to his Cuſtomers, the high Penalties he is by that Act ſubjected to, if he does ſo, and the Power given to the Commiſſioners of Exciſe and Juſtices of the Peace, to mitigate thoſe Penalties, we may ſee, that the Keeper of every Public-Houſe muſt be under a ſlaviſh Dependence upon our Commiſſioners of Exciſe and Juſtices of the Peace; and conſequently that he muſt expect to be ruined, ſhould he give his Vote againſt a Court-Candidate at any Election.

'Thus we may ſee, Sir, that, from all the Inconveniences that aroſe either from a Deficiency in our Laws, or from a Neglect in the Execution of them, an Advantage is taken for introducing ſome new Regulation by which the Power and Influence of the Crown may be increaſed. This has ſo conſtantly in all Ages been the Practice of our Miniſters, that one may from thence conclude, that every Man, as ſoon as he becomes a Miniſter, or as he calls himſelf a Servant of the Crown, begins to think himſelf in Duty bound to uſe every Art he can think of for deſtroying the Liberties of the Subject. This, I ſay, ſeems to have been the way of thinking among Miniſters in all Ages, and, I am ſure, in no Age more apparently than in this. Shall we then, upon this or any other Occaſion, throw aſide our Jealouſies and Fears? Shall we put a Truſt in thoſe, who by their Practices have given us ſo good Reaſon to be convinced of their having a Deſign to betray us? If we are under any preſent Inconveniences, if we are under any preſent Difficulties, with regard to the Manning of our Fleet, let us examine whether they proceed from the Neglect or Miſconduct of thoſe concerned in the executive Part of our Government, or from any real Defect in our Conſtitution. If from the former, let us remove thoſe who have run us into ſuch Difficulties; and if from the latter, let us conſider our Conſtitution, and apply thoſe Remedies which are moſt conſiſtent with its Security and Preſervation; but do not let us plunge into the Pit which our Enemies have dug for us on one hand, for Fear of tumbling over the imaginary Precipice which they frighten us with on the other.

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' I am far from thinking, we can be under any Difficulty in manning all the Ships we can have Occaſion for in the preſent War; but ſuppoſe we were, there are many other Remedies beſides that now propoſed. Let us give farther Encouragements for foreign Seamen to enter into our Service: Let us call upon our Alliances for Aſſiſtance: Let us hire the Ships of other Nations. We have now foreign Troops in our Pay, tho' we have no War, nor are like to have any War upon the Continent. Why do we not hire foreign Ships inſtead of foreign Troops? If we are under the Difficulties ſuggeſted, we have Occaſion for the former, but we can have no Occaſion for the latter. Surely this Nation is not yet reduced to ſuch melancholy Circumſtances, that we muſt either have no Allies, or accept of them upon ſuch Terms as they themſelves may be pleaſed to preſcribe. The Remedy now under our Conſideration is the very worſt that could be thought of: It is publiſhing our Diſtreſs to the World, and giving our Enemies juſt Cauſe to triumph over us. If the French or Spaniards owed us a Grudge, they could in no way ſo effectually puniſh us, as by forcing us to deſtroy our Conſtitution and give up our Liberties, for the ſake of defending ourſelves againſt them. Our paſſing ſuch a Bill would give great Joy to every Frenchman or Spaniard that underſtands any thing of our Conſtitution, and, as I am againſt making a Holy-Day either in France or Spain, I muſt be againſt agreeing to this Clauſe.'

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SIR,

' Far be it from me to blame Gentlemen for being jealous of the Liberties of their Country, and cautious of agreeing to any thing that may look like an Encroachment upon our Conſtitution. This in general I ſhall always think laudable, but ſtill, I muſt think, it may be puſhed too far, and when it is ſo, it will always be of infinite Prejudice to the Nation; therefore, Gentlemen ſhould as cautiouſly avoid oppoſing thoſe Powers that are abſolutely neceſſary for the Exerciſe of Government, as they ſhould avoid going raſhly into the giving of any Power that is unneceſſary and dangerous. No human Contrivance can form a Government or Syſtem of Laws ſo perfect as to ſtand in need of no Addition, Alteration, or Amendment: Future Events make the Imperfections appear; and as they appear, Care muſt be taken to remedy them by new Regulations. This is our Caſe at preſent, and if the Regulation propoſed be abſolutely neceſſary for the Safety of the People, we muſt agree to it, even tho' it ſhould be attended with ſome Danger to the Liberties of the

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Whole or a Part of the People: but I hope to be able to ſhew, that it can be attended with no Danger; and that the Manning of our Navy is abſolutely neceſſary for the Safety of the Nation has, I think, been acknowledged by every one that has ſpoke in this Debate.

'The two chief Objections made to this Regulation are, that it will be of dangerous Conſequence to the Freedom of our Elections, and that it will be ſuch a Hardſhip upon our Seamen, as will force them into foreign Service, and prevent Men from breeding themſelves to the Sea for the future. I ſhall firſt conſider the laſt of theſe two Objections, and in order to ſhew, that the Regulation now propoſed will be no Hardſhip upon our Seamen, I ſhall beg Leave to explain the Condition they are now in, and the little Alteration that is to be made in their Circumſtances by this Regulation The Power of preſſing Seamen into his Majeſty's Service, however much it may be doubted of by thoſe who have not examined our ancient Records, is a Power that has been veſted in our Government, I believe, ever ſince our Conſtitution had a Being. We have mentioned in ſome of our Law Books a Statute made in the Reign of Richard the Firſt, for making ſome new Regulations with regard to Ships and Seamen preſſed into the King's Service, which ſhews, that Preſſing was cuſtomary before that Time, and that it was then thought to be legal; and in the famous Inquiſition of Queenborough, in the Reign of Edward the Third, it is expreſsly given in Charge to the Inqueſt among other Things, to enquire of thoſe Mariners that were preſſed for the King's Service, and deſerted the ſame. I could mention ſeveral other Records to ſhew, that this Power of preſſing Seamen into the King's Service has always been deemed legal, and has in all Times been looked on as a Part of the Common Law of England: Nay, it may even be ſaid to be eſtabliſhed by Statute; for in the Reign of Philip and Mary, a Statute was made, by which it was enacted, That Watermen who withdraw themſelves in time of Preſſing, ſhall ſuffer a Fortnight's Impriſonment, and be prohibited to row any more upon the Thames for a Year and a Day after: By an Act of the ſecond of Queen Anne, a certain Allowance of able Seamen is eſtabliſhed for Ships in the Coal-Trade; and it is enacted, That if any Officer impreſs any of the Men ſo allowed, he ſhall forfeit 10*l.* for every Man ſo preſſed, beſides Coſts of Suit: And by another Act of the ſame Reign, it is declared, That no Perſon of eighteen Years of Age ſhall be exempted from her Majeſty's Service, on Account of his being an Apprentice, who ſhall have been in Sea-Service before he bound himſelf Apprentice, and farther, it is by the ſame Law enacted, That ſuch Watermen

men, Bargemen and Lightermen, as ſhall not appear, when called on by the Watermens Company, to be ſent to her Majeſty's Fleet, ſhall ſuffer one Month's Impriſonment, and be diſabled working on the Thames for two Years.'

'Thus it appears, Sir, that the Power of Preſſing is by Implication ſtrongly eſtabliſhed by Statute; and the Reaſon of its not being expreſsly eſtabliſhed, was certainly becauſe it was always deemed to be ſo expreſsly eſtabliſhed by Common Law, that it was unneceſſary to eſtabliſh it in expreſs Words by any Statute. Having thus ſhewn, that the Power of Preſſing is eſtabliſhed both by the Common and Statute Law of this Kingdom, I ſhall not examine the Cuſtom, which in all ſuch Caſes explain the Law; and it is certain, that the Cuſtom has always been, not only to preſs Seamen out of Merchant-Ships, but alſo to ſearch the Ship for ſuch as abſcond or conceal themſelves on board. Theſe, Sir, are the Circumſtances our Seamen are in at preſent; theſe are the Circumſtances they have always been in: They may be preſſed at Land, if they are found in the Streets or Highways, or in any Houſe where an Officer can have Acceſs to them; they may be preſſed from on board a Ship, and the Ship may be ſearched by an Officer and Preſs-Gang, in order to come at thoſe who conceal themſelves on board. What then is the great additional Power deſired? What is the great Alteration to be made in a Seaman's Circumſtance, by this Clauſe? It is no more than this, that a Seaman who abſconds from his Duty may be ſearched for in a Houſe, as well as on Ship-board, with this material Difference, that a Ship may be ſearched for him without the Aſſiſtance of any Civil Officer; but a Houſe is not to be ſearched without the Aſſiſtance of a Civil Officer.

'Is this, Sir, ſuch an additional Hardſhip upon our Seamen, as will force them into foreign Service, or prevent Men from breeding themſelves up to the Sea for the future? Is it ſuch an additional Power to the Crown, as will deſtroy the Freedom of our Elections? I am really ſurprized, Sir, to hear ſuch imaginary Dangers ſuggeſted. By the Law, as it ſtands at preſent, the Crown, as I have ſhewn, has a Power to preſs any Seamen into the Service, and may exerciſe that Power againſt any one in the Character of a common Seaman, unleſs he makes himſelf a cloſe Priſoner in ſome Houſe; yet we know by Experience, that Seamen are as little under the Influence of the Crown, or of any Miniſter, with regard to their voting at Elections, as any other Part of his Majeſty's Subjects; and the Reaſon is very plain, a Seaman may very eaſily prevent his being preſſed, by entering himſelf on board ſome of our Ships of War, as ſoon as a Preſs is like to begin;

and

and if he does his Duty on board, no Miniſter, nor even the Captain under whoſe Command he is, can inflict any Puniſhment upon him, or ſubject him to any Hardſhip, on Account of his not voting according to his Direction at an Election. Thus the Caſe has always ſtood, with regard to the Danger of being preſſed; and as the Danger of being ſearched for may be avoided in the ſame Manner, therefore we cannot ſuppoſe it will have any Effect upon the Freedom of our Seamen's voting at Elections.

'As to the Terms Seamen and Seafearing Men, it is true, Sir, they are general; but, I think, they are eaſily underſtood, and have been ſufficiently explained by Cuſtom; for no Man is ſuppoſed to be a Seaman or Seafaring Man, unleſs he is, or has within a few Years been in actual Service at Sea, as a common Seaman; and none but ſuch have ever been, or could, I think, ſhould this Clauſe paſs into a Law, be preſſed as common Seamen into his Majeſty's Service: Therefore, Maſters and Mates of Merchant Ships, or Seamen that are or may be ſettled in ſome good Buſineſs at Land, can be brought into no Danger, nor under any Influence, by this Clauſe; and conſequently, with regard to Seamen of all Ranks and Degrees, it can no way encroach upon the Freedom of our Elections, or any way endanger the Liberties of the Subject.

'I come now, Sir, to the other Part of the Objection, which relates to the Influence which the Power of ſearching for Seamen may have upon Houſe-keepers that are not Seamen; and here in general I muſt obſerve, that there is not any one Power the Crown is, or can be inveſted with, but what might be made inconvenient even to the moſt innocent, if thoſe who have the Exerciſe of it ſhould preſume to make a bad Uſe of it, and our Judges ſhould connive at their Preſumption; but in all Caſes, theſe two Cauſes muſt concur, before the Exerciſe of any Power can produce ſuch an Effect; for when any Power is given by the Legiſlature for a good Purpoſe, it is the Buſineſs and the Duty of our Judges to prevent its being turned into a bad Purpoſe, by puniſhing every Magiſtrate or Officer that ſhall be guilty of ſuch a high Preſumption. Therefore, whilſt thoſe employed in the executive Part of our Government act regularly, or our Judges decree juſtly, our Liberties can never be in Danger from any Power lodged by the Legiſlature in the Crown, for the neceſſary Ends of Government; and if all our Officers ſhould become tyrannical, and our Judges corrupt, I do not ſee how it would be poſſible to preſerve either our Liberties or Properties, any other way than by a general Inſurrection; even tho' the Crown had not near ſo many Prerogatives, or ſo much Power, as it hath at preſent.

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' If the Crown, Sir, had never, in any Inſtance before, been poſſeſſed of a Power to ſearch Houſes by Night or by Day, there might be ſome Room for being cautious of granting the Power now deſired; but ſuch a Power the Crown, or at leaſt the Judges and Magiſtrates appointed by the Crown, have in many Caſes been poſſeſſed of, ever ſince our Conſtitution had a Being. As ſeveral of theſe Caſes have been mentioned by my honourable and learned Friend, I need not repeat them; but one which he did not mention, I cannot omit taking notice of, which is that of arreſting the King's Debtor; for upon a Proceſs at the King's Suit againſt any Perſon who is his Debtor, the Sheriff or his Officer may break open any Houſe in Search of him, after he has ſignified his Errand to the Owner, and has been refuſed Admittance. If it were poſſible to turn any ſuch Power towards influencing Elections, ſurely it would be much more eaſy in this Caſe to turn it to that Purpoſe, than in the Caſe now before us. The Sheriff is a Magiſtrate appointed by the Crown, as well as our Juſtices of Peace; and Sheriffs Officers, I believe, are generally Men of no better Character than petty Conſtables. Beſides, it is a Pretence that might be much oftener made uſe of; for to ſearch Houſes for Seamen can never be pretended, but in Time of a hot Preſs, and after the Lord High Admiral, or Commiſſioners of the Admiralty, have iſſued their Warrants for that Purpoſe, which they cannot do but upon extraordinary Occaſions, and ſuch as happen but very rarely.

' Therefore, Sir, if we are to judge from Experience in other Caſes, which is certainly one of the ſureſt ways of judging in all Matters of a political Nature, we muſt conclude, that the Power of ſearching Houſes, in the Caſe now before us, can be of no bad Conſequence to the Freedom of our Elections, or inconvenient to any Man in the Kingdom, except to thoſe Seamen that abſcond in Time of Danger from their Country's Service, and to ſuch as render themſelves ſuſpected of harbouring and concealing ſuch Seamen; and ſurely the Public is more intereſted in having his Majeſty's Fleet manned in Time of Danger, than in its having the Debts due to his Majeſty paid, or his Debtors arreſted.

' Thus, I hope, Sir, I have ſhewn, that there is nothing in either of the two chief Objections that have been made againſt this Clauſe; and as the Navy is not yet ſufficiently provided with Seamen, after trying Embargoes, Preſſing, and every other Method that could be thought of, it is abſolutely neceſſary to contrive ſome new Method for ſupplying the Deficiency. The encouraging of foreign Seamen to enter into our Service, or the hiring of foreign Ships, are Methods which cannot be truſted to; and they are Methods which I

ſhall

ſhall never be for making uſe of, as long as we can hire Ships or Seamen of our own, not only becauſe we cannot rely ſo much upon the Courage and Fidelity of foreign Seamen as upon our own, but alſo becauſe it would tend to the increaſing of the naval Power of ſome foreign Neighbour who may ſome Time hereafter be our Enemy. Therefore as the Method now propoſed is the beſt I have yet heard of, I muſt be for it till I hear ſome better offered; and if Gentlemen think the Amendment propoſed would be more dangerous than the Clauſe as it now ſtands, they may either reject the Amendment, or they may leave out the Word *report*, and only empower Juſtices of the Peace to grant their Warrant for ſearching any Houſe upon an Information on Oath, by ſome creditable Perſon, that there is Cauſe to ſuſpect Seamen being concealed in the Houſe.

'As for that Part of the Clauſe which is to inflict Penalties upon thoſe who ſhall harbour or conceal abſconding Seamen, it can affect none but ſuch as knowingly do ſo, and ſuch, I muſt think, deſerve highly to be puniſhed. A Seaman who abſconds, when his Country is in Danger, and ſtands in need of his Aſſiſtance, I muſt ſuppoſe to be as infamous a Traitor, as any that can be declared ſo by Law; and therefore, I think, he ought to be treated with as much Rigour as any Traitor whatſoever; for which Reaſon, I can neither think it cruel nor inhuman to puniſh a Mother for concealing her Son, or a Daughter for concealing her Father. It is what is uſually done in Caſes of Treaſon; it is abſolutely neceſſary for the Safety of the Commonwealth; for if any merciful Allowance is in ſuch Caſes to be made to human Weakneſs, it ought to be left to his Majeſty, as other Acts of Mercy are, that he may in his Royal Wiſdom diſpenſe it, or refuſe it, according to the Circumſtances of the Caſe, and the Merits of the Perſons that ſue for it.

'I am ſorry, Sir, to find that we are in ſuch Diſtreſs as we are at preſent, for want of Seamen: I wiſh it were otherwiſe; I wiſh we had, in Time of Peace, thought of Methods for preventing it; and I ſhall acknowledge, it might have been foreſeen; I believe it was foreſeen by our Miniſters: but as popular Aſſemblies are not generally very good at foreſeeing diſtant Dangers, and not eaſily perſwaded to take proper Meaſures for preventing them, eſpecially when the Meaſures are ſuch, as muſt put them to an immediate Expence, our Miniſters would not venture to propoſe any ſuch Meaſures, becauſe they deſpaired of meeting with Success. This, I believe, was the true Reaſon of their neglecting to do ſo, and not their Deſire to keep up a more numerous ſtanding Army than was neceſſary; for I think it was happy for

this, that we kept up in Time of Peace ſuch a Number of regular Troops as we did, becauſe if we had not, we muſt have made greater Levies for the Land Service at the Beginning of this War than we did, and this would have diſtreſſed us ſtill more, with regard to the Sea Service, than we are at preſent. But ſuppoſe our Diſtreſs to be owing to ſome Neglect or Miſconduct in our Miniſters, will our removing or puniſhing them relieve us from that Diſtreſs? Or will our agreeing to what is now propoſed interrupt our Enquiry into their Conduct, or prevent our being able to remove or puniſh them?

'The Bill now propoſed, the very Propoſition, Sir, even tho' it ſhould be rejected, will publiſh our Diſtreſs to our Enemies; but I had rather they ſhould hear of our Diſtreſs by our agreeing to ſuch a Bill, than that they ſhould become ſenſible of it by the Succeſs of their Privateers againſt our Merchants, or by the Succeſs of their Squadrons againſt the Squadrons of this Nation. Whatever Diſtreſs our Enemies may ſuppoſe us to be in, they can expect no good to themſelves from our paſſing this Bill; becauſe we paſſed a Bill of the ſame Nature in the late glorious War in Queen Anne's Time, when we were ſo ſucceſsful both by Land and Sea. It will only convince them, that we are reſolved to exert our whole Strength againſt them, and the Terror of this will, I hope, ſoon bring them to Reaſon.'

Sir John Hynd Cotton.

SIR,

'I have obſerved of late Years, that there is a Party of Men in this Kingdom, who, upon all Occaſions, declare themſelves for an Enquiry into the Conduct of our Miniſters, and for puniſhing them, if they ſhould be found to deſerve it; yet they oppoſe every previous Step that is neceſſary for entering upon an Enquiry; and if it were ſet on Foot, I believe, they would oppoſe every thing that might tend towards rendering it effectual. The ſame Party of Men, Sir, always declare, that we ought to be jealous of our Liberties, and cautious of granting any Power that may contribute to their Overthrow; yet they are always ready to approve of every thing propoſed by the Court, and to think every Power neceſſary for the Exerciſe of Government which our Miniſters declare to be ſo. I hope, there are none of this Party in this Aſſembly; for every Gentleman here has, I hope, ſo much Honour as to be ſincere in every thing he profeſſes. I muſt acknowledge, Sir, that I am, and, I hope, always ſhall be truly jealous of every new Power that is, or can be aſked by Miniſters: Whether I puſh this Jealouſy too far upon the preſent Occaſion, I muſt leave to the Houſe to judge; Sir John Hynd Cotton.

but I muſt declare that, in my Opinion, the Power now deſired never can be neceſſary, that it is far from being neceſſary upon the preſent Occaſion, that it would be of the moſt dangerous Conſequence to our Conſtitution, and that it would at laſt deſtroy the very End for which it is ſaid to be deſired.

'That I may regularly follow the honourable and learned Gentleman, I ſhall begin with the laſt. He has been pleaſed, Sir, to ſhew, what a hard Condition our Seamen are in by the Laws as they now ſtand; and, ſays he, the adding but one Hardſhip more can no way diſcourage our Seamen, or leſſen the Breed of that uſeful Body of Men. Sir, when a Rope is ſtretched to its utmoſt Length, if you attempt to ſtretch it but one Inch further, it breaks. He was likewiſe pleaſed to dip into our antient Records, in order to ſhew what has not, I think, been denied in this Debate. That, upon great and ſudden Emergencies, the King has, by his Prerogative, a Power to preſs Seamen into his Service, is what no Gentleman denies; but every Gentleman muſt grant, that this Prerogative ought not to be made uſe of upon every trifling Occaſion; and that when it is made uſe of, it ought to be with as much Lenity as poſſible, and it ought to be accompanied with as many Encouragements as it is in the Power of the Government to beſtow. In the Exerciſe of this Prerogative, perhaps the Cuſtom may have been to ſearch Ships for Seamen who conceal'd themſelves on board; but I doubt much whether an Officer with a Preſs-Gang has by Law a Power to break open the Doors or Hatches of a Ship, in caſe the Maſter ſhould refuſe to open them, eſpecially when the Ship happens to be in any River or Port which is not within the Juriſdiction of the Admiralty. But whatever may be the Law in this Caſe, we know that our Seamen are already ſubject to many Hardſhips which the reſt of the People are free from; and therefore, when we are contriving a Bill for the Encouragement and Increaſe of Seamen, we ought not ſurely to heap new Hardſhips upon them, becauſe, whether thoſe Hardſhips be inſufferable or no, is a Queſtion that is not to be determined by the Opinion of this Houſe, and much leſs by the Opinion of our learned Gentlemen of the long Robe, but by the Opinion of our Seamen and other People without Doors; for if they think them inſufferable, they will certainly endeavour to avoid them, our Seamen by running into foreign Service, and the reſt of our People by taking Care not to breed themſelves or their Children to any ſort of Sea-Service.

'As to the Meaning that has been, or may be put upon the Words Seaman or Seafaring Man, I ſhall not pretend to determine; but this I am well aſſured of, Sir, that Mates of Me-

Merchant Ships, and Seamen ſettled in Buſineſs at Land, have been ſometimes preſſed into his Majeſty's Service; and if we ſhould expreſly authoriſe preſſing by Statute, I do not know but a Liberty might be taken to preſs the Captains or Maſters of coaſting or trading Veſſels, and even ſuch Seamen or Sea-Captains as had acquired or ſucceeded to a Land-Eſtate, and thought themſelves ſettled in an eaſy Manner for the remaining Part of their Lives. Even in the late Queen's Time, when an Act of this Nature was paſſed for one Year, it was thought neceſſary to reſtrain the meaning of the Word Seamen, to ſuch as had been in Service in her Majeſty's Reign, which was then in its fourth Year only. From hence, I think, it is evident, that if we intend to authoriſe preſſing by an expreſs Statute, we ought to make ſeveral Exceptions and Regulations, in order to prevent its being a moſt intolerable Oppreſſion upon many of his Majeſty's beſt Subjects; and we ought to take Care, that common Seamen returning from a Voyage ſhall have an Opportunity to offer themſelves as Volunteers, and that no Seaman ſhall be rejected as a Volunteer, and accepted of as a preſſed Man, in order to entitle the Officer to a Reward for preſſing him.

'Now, Sir, with regard to the Influence this Bill may have upon our Elections, I am really ſurprized to hear Gentlemen pretend, that our Seamen vote as freely as any other Sort of Men in the Kingdom. Moſt of the Boroughs upon our Coaſt are a convincing Proof of the contrary. Are not many of theſe Boroughs now called Admiralty-Boroughs, becauſe they always return ſuch Repreſentatives as the Board of Admiralty pleaſes to direct? The very Nature of Things is a demonſtrative Proof, that Seamen muſt be under the Influence of the Admiralty-Board in Elections; for, let a Seaman be never ſo exact in the Performance of his Duty, his Commander may ſubject him to many Hardſhips and Inconveniences on board, if he has or is ordered to have a Pique at him upon any other Account. Beſides, all Seamen, while they are on board, hope to be preferred in the Navy, and will of courſe take every Method they can think of for recommending themſelves to the Government. Even Seamen that are ſettled on Shore, muſt be under the Influence of the Admiralty at Elections, otherwiſe they may depend upon being preſſed as ſoon as an Opportunity offers, and of being hardly uſed, whilſt they are in the Government's Service. They have no way to avoid this, but by leaving their Buſineſs and abſconding, and even this melancholy Reſource you are now about to take away from them: Therefore, if this Bill ſhould paſs, we muſt ſuppoſe, that all Seamen, be they where they will, let their Circumſtances be what they will, muſt for the future be

the abſolute Slaves of a Miniſter, and muſt vote at all Elections, as he ſhall be pleaſed to direct.

'Then with regard to the reſt of the Subjects who have not the Misfortune to be Seamen, is it not a terrible Thing for a Man to be in continual Danger of having his Houſe laid open to a petty Conſtable and a Preſs-Gang, by Day or by Night? Beſides the Inconvenience of being diſturbed, he muſt never ſtir from home, or if he does, he muſt not take the Key of any Cloſet along with him; becauſe a Preſs-Gang may come and break it open before he returns. The Power of ſearching for the King's Debtors is, I ſhall grant, a dangerous Power, and might be made a very bad Uſe of; but I muſt obſerve, that this Power was introduced, when Sheriffs were not named by the Crown, but choſen by the reſpective Counties; and tho' Sheriffs Officers are ſeldom Men of any great Character, they are more to be truſted to than petty Conſtables, becauſe the former give Security to the Sheriff for the due Execution of their Office, and the Sheriff himſelf is anſwerable for their Behaviour; whereas petty Conſtables give no Security, nor is any Juſtice of the Peace anſwerable for the Damages they may occaſion. I could ſhew, that the Power now deſir'd is, on ſeveral other Accounts, more dangerous than the Power of ſearching for the King's Debtors; but ſuppoſe it were not, is one dangerous Power any Argument for granting another of the ſame Nature? If the Power already granted has never been made a bad Uſe of, the granting another of the ſame Nature might be the Cauſe of both's being made made a bad Uſe of in Time to come; becauſe an Effect may be produced by making a bad Uſe of both, which could never have been hoped for by making a bad Uſe of one. The Hopes of Impunity is what occaſions a Power's being made a bad Uſe of; and that Impunity may be ſecured by making a bad Uſe of two Powers, which could never have been expected from making a bad Uſe of one.

'This, Sir, is the great Danger, and it is not eaſy to determine, where our Security ends, and where the Danger begins. One Thing, however, is certain, that if we go on thus yearly putting new Powers into the Hands of our Miniſters, the Danger will become not only unavoidable but irretrievable. Our Officers will be regular, our Judges will be juſt, as long as they are in Danger of being called to an Account by Parliament, if they act otherwiſe. If we put it once in their Power to guard againſt this Danger, they will act here as they do in all other arbitrary Governments; and this will be the certain Conſequence, if we put it in the Power of our Miniſters to over-awe or influence the Majority of our Elections.

lections. It is by having our Parliaments always dependent upon our Miniſters, and by this Method only, we can be reduced to the lamentable Circumſtances of having no Remedy but a general Inſurrection, againſt the Injuſtice of our Judges, and Oppreſſion of our Officers; and ſuch Parliaments will certainly provide our Miniſters with an Army ſufficient to protect them againſt an Inſurrection of the People; ſo that we can then never expect any Redreſs but by a Mutiny in our Army, and by that, as in Turkey, we may ſee a Change in the Perſons of our Oppreſſors, but can expect no Relief from Oppreſſion.

'Thus, Sir, I think, it is apparent, that this Power, added to all the Powers our Miniſters are already poſſeſſed of, will be of the moſt dangerous Conſequence to our Conſtitution; and, conſidering how long our Government has ſubſiſted without it, I am ſurprized to hear any Gentleman pretend, that it is now abſolutely neceſſary for the Exerciſe of Government. If Seamen are now more unwilling to enter into the Government's Service than they were formerly, it muſt be owing to ſome late Miſconduct in our Miniſters; and therefore, the beſt Encouragement we can propoſe for our Seamen is, to remove thoſe that have diſobliged them. The learned Gentleman ſays, our agreeing to this Clauſe can no way prevent our being able to remove any Miniſter. Is not this, Sir, begging the Queſtion? If it adds to a Miniſter's Influence at Elections, will it not tend to prevent its being in the Nation's Power to remove him by any ſort of Parliamentary Method? Let us conſider, Sir, that this is the very laſt Seſſion of a Septennial Parliament, and that a new Septennial Parliament is next Summer to be choſen; and then we may perhaps ſee, why ſuch a Power is deſired at this critical Conjuncture.

'For my Part, Sir, I have not heard one Argument made uſe of for ſhewing, that this Power is neceſſary at all, and much leſs that it is neceſſary upon the preſent Occaſion: I ſay, I have not heard one Argument for this Purpoſe, but one drawn from a News-Paper, by a Gentleman no way concerned in the Admiralty. From that News-Paper, indeed, he has endeavoured to frighten us with an Invaſion, and to make us believe, that if we do not make a Surrender of our Liberties to our Miniſters, the French and Spaniards will come and take them from us; but, as he confeſſed, he knew nothing of the Matter, and as thoſe who ought to know, have not been pleaſed to declare, that we are in any real Danger, I ſhall not be ſuch a Child, as to be frighten'd out of my Senſes by ſuch an imaginary Bugbear.'

M.

M.

SIR,

M. ‘ The two honourable and learned Gentlemen w
in favour of this Clauſe, were pleaſed to ſhew, tha
men are half Slaves already, and now they modeſ
you ſhould make them wholly ſo. Will this incr
Number of Seamen? Or will it make thoſe you ha
willing to ſerve you? Can you expect, that any M
make himſelf a Slave if he can avoid it? Can you
that any Man will breed his Child up to be a Slav
you expect, that Seamen will venture their Lives
Limbs for a Country that has made them Slaves?
you expect, that any Seaman will ſtay in the Co
he can by any Means make his Eſcape? Sir, if
this Law, you, in my Opinion, do with your Sea
they do with their Galley-Slaves in France; you m
them to their Ship, or chain them in Couples, wh
are aſhore. But ſuppoſe this ſhould both increaſe th
ber of your Seamen, and render them more willing
you, it will render them incapable. It is a comm
ſervation, that when a Man becomes a Slave, he l
his Virtue. What will it ſignify to have your S
mann'd to their full Compliment? Your Men will
have Courage nor a Temptation to fight; they will
the firſt Enemy that attacks them, becauſe their C
cannot be made worſe by a Surrender. Our Seam
alway been famous for a matchleſs Alacrity and In
in Time of Danger: This has ſaved many a Briti
when other Seamen would have run below Deck,
the Ship to the Mercy of the Waves, or perhaps
cruel Enemy, a Pirate. For God-ſake, Sir, let u
our new Projects put our Seamen into ſuch a Con
muſt ſoon make them worſe than the cowardly
France or Spain.

‘ The learned Gentlemen were next pleaſed to
that the Government was already poſſeſſed of ſuch
as is now deſired; and how did they ſhew it? W
by ſhewing that this was the Practice in the Caſe o
and in the Caſe of thoſe who are as bad as Felons
thoſe who rob the Public, or diſſipate the publi
Shall we, Sir, put our brave Sailors upon the ſam
with Felons and public Robbers? Shall a brave, ho
be treated as a Felon, for no other Reaſon, but bec
a long Voyage, he has a mind to ſolace himſelf a
Friends in the Country, and for that Purpoſe ab
a few Weeks, in order to prevent his being preſſ

Spithead or ſome ſuch pacific Expedition? For I dare anſwer for it, there is not a Sailor in Britain, but would immediately offer his Service, if he thought his Country in any real Danger, or expected to be ſent upon an Expedition, where he might have a Chance of gaining Riches to himſelf, and Glory to his Country. I am really aſhamed, Sir, to hear ſuch Arguments made uſe of in any Caſe, where our Seamen are concerned. Can we expect, that brave Men will not reſent ſuch Treatment? Could we expect, they would ſtay with us, if we ſhould make a Law for treating them in ſuch a contemptible Manner?

'But ſuppoſe, Sir, we had no Regard for our Seamen, I hope we ſhall have ſome Regard for the reſt of the People, and for ourſelves in particular; for, I think, I do not in the leaſt exaggerate, when I ſay, we are laying a Trap for the Lives of all the Men of Spirit in the Nation. Whether the Law, when made, is to be carried into Execution, I do not know; but, if it is, we are laying a Snare for our Lives. Every Gentleman of this Houſe muſt be ſuppoſed, I hope, juſtly, to be a Man of Spirit. Would any of you Gentlemen allow this Law to be executed in its full Extent? If at Midnight a petty Conſtable with a Preſs-Gang ſhould come thundering at the Gates of your Houſe in the Country, and ſhould tell you he had a Search-Warrant, and muſt ſearch your Houſe for Seamen, would you, at that Time of Night, allow your Gates to be opened? I proteſt, I would not: What then would be the Conſequence? He has by this Law a Power to break them open. Would any of you patiently ſubmit to ſuch an Indignity? Would not you fire upon him, if he attempted to break open your Gates? I declare, I would, let the Conſequence be never ſo fatal; and, if you happened to be in the bad Graces of a Miniſter, the Conſequence would be, either your being killed in the Fray, or hanged for killing the Conſtable, or ſome of the Gang. This, Sir, may be the Caſe, even of ſome of us here, and, upon my Honour, I do not think it an Exaggeration to ſuppoſe it may.

'The honourable Gentlemen ſay, no other Remedy has been propos'd. Sir, there have been ſeveral other Remedies propos'd. Let us go into a Committee to conſider of what has been, or may be propoſed. Suppoſe no Remedy ſhould be offered, to tell us we muſt take this, becauſe no other Remedy can be thought of, is the ſame with a Phyſician's telling his Patient, Sir, there is no known Remedy for your Diſtemper, therefore you ſhall take Poiſon; I'll cram it down you Throat. I do not know how the Nation may treat its Phy-



King Charles II's Time. In King Willia
France, when their naval Power was vaſtly
it is at preſent, and when we had more Re
of an Invaſion than we can have at preſent,
to be in no ſuch Extremity. In Queen An
we were engaged in a War both againſt F
and were obliged to make great Levies yea
Service, no ſuch Remedy was ever though
Year only, and then it was found to be fa
fectual.

'This, Sir, I am convinced, would be t
well as it was then. It was at that time co
means of ſuch a Law as this, there were not
men brought into the Government's Service
ing the Methods that have been already
Reward promiſed by this Bill to be offere
I am convinced, that the moſt ſtrict and
would not bring in half the Number. Sh
the ſake of adding 6 or 700, or even 140
Majeſty's Navy, expoſe our Conſtitution to
and every Houſe-keeper in the Kingdom t
being diſturbed at all Hours in the Night?

'But ſuppoſe this Law were to have a
can be called nothing but a temporary Ex
it can no way contribute towards increaſing
our Seamen, or towards rendering them mo
ter into his Majeſty's Service. It is an O

h I could ſee an End of theſe temporary Expedients; e have been purſuing them ſo long, that we have al-undone our Country, and overturned our Conſtitution. efore, Sir, I ſhall be for leaving this Clauſe out of the and every other Clauſe relating to it. The Bill will ſome Service without them; and when we have paſ-, we may then go into a Committee to conſider of ſome g Methods for increaſing our Stock of Seamen, and for ragifig them upon all Occaſions to enter into his Ma-Service.'

Copy of his Majeſty's Speech, relating to the Queen ngary, deliver'd April the 4th, being read to the s, Mr. Clutterbuck roſe up, and ſpoke to this Effect.

SIR,

The preſent Confuſion in Europe, the known Deſigns of rench, the numerous Claims to the Auſtrian Dominions, rmies which are levied to ſupport them, and the pre-nability of the Queen of Hungary to maintain thoſe s which deſcend to her from her Anceſtors, and have confirmed by all the Solemnity of Treaties, evidently re an uncommon Degree of Attention in our Conſulta-and of Vigour in our Proceedings. Mr. Clutter-buck.

Whatever may be the Profeſſions of the French, their real ns are eaſily diſcovered; Deſigns which they have car-n, either openly, or in private, for near a Century, which it cannot be expected that they will lay aſide, they are ſo near to Succeſs. Their View, Sir, in all Wars and Treaties, Alliances and Intrigues, has been ttainment of univerſal Dominion, the Deſtruction of ights of Nature, and the Subjection of all the reſt of kind; nor have we any Reaſon to imagine that they st equally zealous for the Promotion of this pernicious ne, while they pour Troops into Germany, for the ace of their Ally, as when they waſted Kingdoms, Cities in Aſhes, and plunged Millions into Miſery and ; without any other Motive than the Glory of their

ut the French are not the only Nation at this Time la-ng for the Subverſion of our common Liberties. Our ties, Sir, are endangered by thoſe equally intereſted ourſelves in their Preſervation; for in what Degree r any of the Princes who are now endeavouring to di-among themſelves the Dominions of Auſtria, may be d with the Acquiſition of new Territories, and an ima-y Increaſe of Influence and Power, it muſt be evident

to all who are not dazzled by immediate Intereſt, that
are only fighting for France, and that, by the Deſtruct
the Auſtrian Family, they muſt, in a ſhort time, fall
ſelves.

' It is well known, Sir, tho' it is not always remem
that political as well as natural Greatneſs is merely c
rative, and that he only is a powerful Prince, who is
powerful than thoſe with whom he can have any Ca
Contention. That Prince, therefore, who imagines his
enlarged by a Partition of Territories, which gives him
additional Provinces, may be at laſt diſappointed in h
pectations. For if this Partition gives to another Prin
ready greater than himſelf, an Opportunity of increaſ
Strength, in a Degree proportionate to his preſent S
'ority, the former will ſoon find, that he has been labo
for nothing, and that his Danger is ſtill the ſame.

' Such, Sir, is the Caſe of the King of Pruſſia, who,
he has over-run that Part of Germany, to which he
lays claim, will only have weaken'd the Houſe of Au
without ſtrengthening himſelf.

' He is at preſent ſecure in the Poſſeſſion of his Domi
becauſe neither the Auſtrians would ſuffer the French,
the French permit the Auſtrians to increaſe their Pow
ſubduing him. Thus, while the preſent Equipoiſe of P
is maintained, Jealouſy and Caution would always pr
him an Ally whenever he ſhould be attacked; but when
his Aſſiſtance, the Auſtrian Family ſhall be ruin'd, w
defend him againſt the Ambition of France.

' While the Liberties of Mankind are thus equally en
gered by Folly and Ambition, attacked on one ſide,
neglected on the other, it is neceſſary for thoſe who ſe
the Calamity that threatens them, to exert themſelv
Endeavours to avert it, and to retard the fatal Blow
thoſe who are now lulled by the Contemplation of pr
Advantage, can be awakened into a juſt Concern fo
general Happineſs of Europe, and be convinced that
themſelves can only be ſecure by uniting in the Cau
Liberty and Juſtice.

' For this Reaſon, Sir, his Majeſty, has aſſerted the
matic Sanction, and promiſed to aſſiſt the Queen of Hu
with the Forces which former Treaties have entitled h
demand from him; for this Reaſon he has endeavou
rouſe the Dutch from their Supineneſs, and excite the
arm once more for the common Safety, to intimida
new Augmentations thoſe Powers whoſe Ardour, per
only ſubſiſts upon the Confidence that they ſhall not
ſiſted, and to animate by open Declarations in favour

Houſe of Auſtria, thoſe who probably are only hindered from offering their Aſſiſtance, by the fear of ſtanding alone againſt the Armies of France.

'That by this Conduct he may expoſe his Dominions on the Continent, to Invaſions, Ravages, and the other Miſeries of War, every one who knows their Situation, muſt readily allow; nor can it be doubted by any Man, who has heard of the Power of the Pruſſians and French, that they may commit great Devaſtations with very little Oppoſition, the Forces of the Electorate not being ſufficient to give them Battle. For tho' the fortified Towns might hold out againſt them, that Conſideration will very little alleviate the Concern of thoſe who conſider the Miſeries of a Nation, whoſe Enemies are in Poſſeſſion of all the open Country, and who from their Ramparts ſee their Harveſts laid waſte, and their Villages in Flames. The Fortifications contain the Strength, but the Field and the trading Towns comprize the Riches of a People, and the Country may be ruined which is not ſubdued.

'As therefore, Sir, the Electoral Dominions of his Majeſty are now endangered, not by any private Diſpute with the neighbouring Princes, but by his Firmneſs in aſſerting the general Rights of Europe; as the Conſequences of his Conduct, on this Occaſion, will be chiefly beneficial to Great Britain, we ought ſurely to ſupport him in the Proſecution of this Deſign: A Deſign, which we cannot but approve, ſince our Anceſtors have always carried it on without Regard either to the Danger or the Expence.

'In conformity to this Maxim of Politics, ſo clearly founded in Equity, and ſo often juſtified by the Votes of the Parliament, his Majeſty has been pleaſed to declare to us his Reſolution to adhere to his Engagements, and oppoſe all Attempts that may be forming in favour of any unjuſt Pretenſions to the Prejudice of the Houſe of Auſtria. 'Tis for this End he deſires the Concurrence of his Parliament. I hope every Gentleman in this Houſe will agree with me, that we ought to declare our Approbation of theſe Meaſures, in ſuch Terms, as may ſhew the World, that thoſe who ſhall dare to obſtruct them, muſt reſolve to incur the Reſentment of this Nation, and expoſe themſelves to all the Oppoſition which the Parliament of Great Britain can ſend forth againſt them. We ought to pronounce that the Territories of Hanover will be conſidered on this Occaſion as the Dominions of Great Britain, and that any Attack on one or the other will be equally reſented. I therefore move, that an humble Addreſs be preſented by this Houſe to his Majeſty, *To return our Thanks for his Speech; to expreſs our dutiful Senſe of his Ma-*

jeſty's juſt Regard for the Rights of the Queen of Hungary, and for maintaining the Pragmatic Sanction; to declare our Concurrence in the prudent Meaſures, which his Majeſty is purſuing for the Preſervation of the Liberties and Balance of Power in Europe; to acknowledge his Majeſty's Wiſdom and Reſolution, in not ſuffering himſelf to be diverted from ſteadily perſevering in his juſt Purpoſes of fulfilling his Engagements with the Houſe of Auſtria: Alſo, further to aſſure his Majeſty, that, in Juſtice to, and Vindication of the Honour and Dignity of the Britiſh Crown, we will effectually ſtand by, and ſupport his Majeſty againſt all Inſults and Attacks, which any Prince or Power, in Reſentment of the juſt Meaſures which he has ſo wiſely taken, ſhall make upon any of his Majeſty's Dominions, tho' not belonging to the Crown of Great Britain. And that in any future Events, which might make it neceſſary for him to enter into ſtill larger Expences, this Houſe will enable him to contribute in the moſt effectual Manner, to the Support of the Queen of Hungary, to the preventing, by all reaſonable Means, the Subverſion of the Houſe of Auſtria, and to the maintaining the Pragmatic Sanction and the Liberties and Balance of Europe.

N.

SIR,

N. 'The Expediency, if not the Neceſſity of the Addreſs now moved for, will, I believe, be readily allowed by thoſe who conſider the juſt Meaſures which are purſued by his Majeſty, the End which is intended by them, and the Powers by which they are oppoſed.

'How much it is our Duty to ſupport the Houſe of Auſtria it is not neceſſary to explain to any Man who has heard the Debates of this Aſſembly, or read the Hiſtory of the laſt War. How much it is our Duty to ſupport it, is evident as ſoon as it is known by whom it is attack'd; by the antient Enemy of theſe Nations, by the general Diſturber of the Univerſe, by the formidable Oppreſſors of Liberty, exulting in new Acquiſitions, enflamed with the Madneſs of univerſal Monarchy, and elated with an Opportunity of ſubjecting Germany, by exalting to the ſupreme Power a Prince who ſhall hold his Authority only by their Permiſſion.

'The Houſe of Auſtria, which has ſo often ſtood forth in Defence of our common Rights, which has poured Armies into the Field in Confederacy with Great Britain, to ſuppreſs the Inſolence of that Family, which nothing could ſatisfy but boundleſs Power, now demands the Aſſiſtance which it has ſo often afforded; that Aſſiſtance is demanded from us by every Claim which the Laws of Society can enact, or

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the Dictates of Nature can ſuggeſt, by Treaties maturely conſidered, and ſolemnly confirmed, by the Ties of antient Friendſhip, and the Obligations of common Intereſt.

'To violate the public Faith, and to neglect the Obſervation of Treaties, is to ſink ourſelves below Barbarity, to deſtroy that Confidence which unites Mankind in Society. To deny or evade our Stipulations, Sir, is to commit a Crime which every honeſt Mind muſt conſider with Abhorrence, and to eſtabliſh a Precedent which may be uſed hereafter to our own Deſtruction.

'To forſake an Ally, only becauſe we can receive no immediate Advantage from his Friendſhip, or becauſe it may be in ſome degree dangerous to adhere to him; to forſake him when he moſt wants our good Offices, when he is diſtreſſed by his Enemies, and deſerted by others, from whom he had Reaſon to hope for kinder Treatment, is the moſt deſpicable, the moſt hateful Degree of Cowardice and Treachery.

'The Obligations of Intereſt, Sir, it is not often needful to enforce; but it may be obſerved on this Occaſion, that a ſingle Year of Neglect may never be retrieved. We may, Sir, now be able to ſupport thoſe whom, when once diſpoſſeſſed, it will not be in our Power to reſtore; and that if we ſuffer the Houſe of Auſtria to be over-borne, our Poſterity, through every Generation, may have Reaſon to curſe our injudicious Parſimony, our fatal Inactivity, and our perfidious Cowardice.

'With what Views the King of Pruſſia concurs in the French Meaſures, or upon what Principles of Policy he promiſes to himſelf any Security in the Enjoyment of his new Dominions, it is not eaſy to conjecture; but as it is eaſy to diſcover, that whatever he may propoſe to himſelf, his Conduct evidently tends to the Ruin of Europe, ſo he may, in my Opinion, juſtly be oppoſed, if he cannot be diverted or made eaſy.

'Nor can we, Sir, if this Oppoſition ſhould incite him, or any other Power, to an Invaſion of his Majeſty's foreign Dominions, refuſe them our Protection and Aſſiſtance. For as they ſuffer for the Cauſe which we are engaged to ſupport, and ſuffer only by our Meaſures, we are, at leaſt, as Allies, obliged by the Laws of Equity, and the general Compacts of Mankind, to arm in their Defence; and what may be claimed by the common Right of Allies, we ſhall ſurely not deny them, only becauſe they are more cloſely united to us, becauſe they own the ſame Monarch with ourſelves.

Mr.

Mr. Pulteney,

SIR,

Mr. Pulteney. ‘ With what Eagerneſs the French ſnatch every Opportunity of increaſing their Influence, extending their Dominions, and oppreſſing their Neighbours, the Experience of many Years has convinced all Europe; and it is evident that, unleſs ſome Power be preſerved in a Degree of Strength nearly equal to theirs, their Schemes, pernicious as they are, cannot be defeated.

‘ That the only Power from which this Oppoſition can be hoped is the Houſe of Auſtria, a very ſuperficial View of this Part of the Globe will ſufficiently demonſtrate; of this we were long ſince ſo ſtrongly convinced, that we employed all our Forces, and all our Politics to aggrandize this Houſe. We endeavoured not only to ſupport it in all its hereditary Rights, but to inveſt it with new Sovereignties, and extend its Authority over new Dominions.

‘ Why we afterwards varied in our Councils and our Meaſures, I have long enquired without any Satisfaction, having never, Sir, with the utmoſt Application, been able to diſcover the Motives to the memorable Treaty of Hanover, by which we ſtipulated to deſtroy the Fabric that we had been ſo long, and ſo laborioufly endeavouring to erect; by which we abandoned that Alliance, which we had ſo diligently cultivated, which we had preferred to Peace, Plenty, and Riches, and for which we had chearfully ſupported a tedious, a bloody, and an expenſive War.

‘ This Conduct, Sir, raiſes a greater Degree of Admiration, as the Authors of it had exhauſted all their Eloquence in cenſuring the Treaty of Utrecht, and had endeavoured to expoſe thoſe who tranſacted it to the general Hatred of the Nation; as they always expreſſed in the ſtrongeſt Terms their Dread and Deteſtation of the French; as they animated all their Harangues, and ſtunned their Opponents with Declarations of their Zeal for the Liberties of Europe.

‘ By what Impulſe, or what Infatuation, theſe Aſſertors of Liberty, theſe Enemies of France, theſe Guardians of the Balance of Power, were, on the ſudden, prevailed on to declare in Favour of the Power whom they had ſo long thought it their chief Intereſt and higheſt Honour to oppoſe, muſt be diſcovered by Sagacity ſuperior to mine. But, after ſuch Perplexity of Councils, and ſuch Fluctuation of Conduct, it is neceſſary to enquire more particularly what are the preſent Intentions of the Miniſtry, what Alliances have been formed, and what Conditions are required to be fulfilled.

If

' If we are obliged only to ſupport the Queen of Hungary with twelve thouſand Men, we have already performed our Engagements; if we have promiſed any pecuniary Aſſiſtance, the Sum which we have ſtipulated to furniſh ought to be declared; for I ſuppoſe at leaſt our Engagements have ſome Limits, and that we are not to exert all the Force of the Nation, to fight as if Fire and Sword were at our Gates, or an Invader were landing Armies upon our Coaſts.

' I have, Sir, from my earlieſt Years, been zealous for the Defence and Exaltation of the Houſe of Auſtria, and ſhall be very far from propoſing that any Danger or Diſtreſs ſhould influence us to deſert it; but I do not eaſily diſcover by what Means we ſhall be able to afford any efficacious Aſſiſtance; for the Power of Britain conſiſts chiefly in Naval Armaments, which can be of very little Uſe to the Queen of Hungary, and I know not any State that will eaſily conſent to unite with us on this Occaſion.

' If there be, Sir, any States remaining in Europe which the French can neither intimidate nor bribe, we ought ſtudiouſly to ſollicite, and diligently to cultivate their Friendſhip, but whether any, except the Ruſſians, are now independent, or ſufficiently confident of their own Strength to engage in ſuch a hazardous Alliance, may be juſtly doubted.

' The late grand Alliance, Sir, was ſupported at the Expence of this Nation alone, nor was it required from the other Confederates to exhauſt the Treaſure of their Country in the common Cauſe; I hope the Debt which that War has entailed upon us, will inſtruct us to be more frugal in our future Engagements, and to ſtipulate only what we may perform without involving the Nation in Miſery, which Victories and Triumphs cannot compenſate.

' The Neceſſity, Sir, of public Oeconomy obliges me to inſiſt, that before any Money ſhall be granted, an Account be laid before the Houſe in particular Terms, of the Uſes to which it is to be applied. To aſk for Supplies in general Terms, is to demand the Power of ſquandering the Public Money at Pleaſure, and to claim, in ſofter Language, nothing leſs than deſpotic Authority.

' It has not been uncommon for Money granted by the Houſe to be ſpent without producing any of thoſe Effects which were expected from it, without aſſiſting our Allies, or humbling our Enemies; and therefore there is Reaſon for ſuſpecting that Money has ſometimes been aſked for one Uſe, and applied to another.

' If our Concurrence, Sir, is neceſſary to increaſe his Majeſty's Influence on the Continent, to animate the Friends of the Houſe of Auſtria, or to repreſs the Diſturbers of the pub-

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lic Tranquility, I ſhall willingly unite with the moſt zealous Advocates for the Adminiſtration in any Vote of Approbation or Aſſiſtance, not contrary to the Act of Settlement, the important and well-concerted Act, by which the preſent Family were advanced to the Throne, and by which it is provided, that Britain ſhall never be involved in War for the Enlargement or Protection of the Dominions of Hanover, Dominions from which we never expected nor received any Benefit, and for which therefore nothing ought to be either ſuffered or hazarded.

'If it ſhould be again neceſſary to form a Confederacy, and to unite the Powers of Europe, againſt the Houſe of Bourbon, that ambitious, that reſtleſs Family, by which the Repoſe of the World is almoſt every Day interrupted, which is inceſſantly labouring againſt the Happineſs of human Nature, and ſeeking every Hour an Opportunity of new Encroachments, I declare, Sir, that I ſhall not only, with the greateſt Chearfulneſs, bear my Share of the public Expence, but endeavour to reconcile others to their Part of the Calamities of War. This, Sir, I have advanced, in Confidence that ſufficient Care ſhall be taken, that in any new Alliance we ſhall be Parties, not Principals; that the Expence of War, as the Advantage of Victory, ſhall be common; and that thoſe who ſhall unite with us, will be our Allies, not our Mercenaries.'

Mr. H. Walpole.

SIR,

Mr. H. Walpole.

'It is not without Reaſon that the honourable Gentleman deſires to be informed of the Stipulations contained in the Treaty by which we have engaged to ſupport the Pragmatic Sanction, for I find that he either never knew them, or has forgotton them; and therefore thoſe Reaſonings which he has formed upon them fall to the Ground.

'We are obliged, Sir, by this Treaty, to ſupply the Houſe of Auſtria with twelve Thouſand Men, and the Dutch who were engaged in it by our Example, having promiſed a Supply of five thouſand. This Force joined to thoſe Armies which the large Dominions of that Family enable them to raiſe, were ſufficient to repel any Enemy by whom their Rights ſhould be invaded.

'But becauſe in Affairs of ſuch Importance nothing is to be left to hazard, becauſe the Equipoiſe of Power, on which the Liberties of almoſt all Mankind, who can call themſelves free, muſt be acknowledged to depend, ought to be rather certain, than barely probable; it is ſtipulated farther, both by the Dutch and ourſelves, that if the Supplies ſpecified in the

the firſt Article ſhall appear inſufficient, we ſhall unite our whole Force in the Defence of our Ally, and ſtruggle once more for Independence, with Ardour proportion'd to the Importance of our Cauſe.

'By theſe Stipulations, Sir, no Engagements have been formed that can be imagined to have been prohibited by the Act of Settlement, by which it is provided, that the Houſe of Hanover ſhall not plunge this Nation into a War, for the ſake of their foreign Dominions, without the Conſent of the Parliament; for this War is by no Means entered upon for the particular Security of Hanover, but for the general Advantage of Europe, to repreſs the Ambition of the French, and to preſerve ourſelves and our Poſterity from the moſt abject Dependence upon a Nation exaſperated againſt us by long Oppoſition, and hereditary Hatred.

'Nor is the Act of Settlement only preſerved unviolated, by Reaſon of the preſent Alliance, but by the regular Concurrence of the Parliament, which his Majeſty has deſired, notwithſtanding his indubitable Right of making Peace and War by his own Authority. I cannot therefore imagine upon what Pretence it can be urged that the Law, which requires that no War ſhall be made on Account of the Hanover Dominions without the Conſent of the Parliament, is violated, when it is evident that the War is made upon other Motives, and the Concurrence of the Parliament is ſolemnly deſired.

'But ſuch is the Malevolence with which the Conduct of the Adminiſtration is examined, that no Degree of Integrity or Vigilance can ſecure it from Cenſure. When in the preſent Queſtion Truth and Reaſon are evidently on their Side, paſt Tranſactions are recalled to Memory, and thoſe Meaſures are treated with the utmoſt Degree of Contempt and Ridicule, of which the greateſt Part of the Houſe have probably forgotten the Reaſons, and of which the Authors of them do not always ſtand up in the Defence, becauſe they are weary of repeating Arguments to thoſe who liſten with a Reſolution never to be convinced.

'How well, Sir, thoſe by whom the Miniſtry is oppoſed, have ſucceeded in hardening their Minds againſt the Force of Reaſon, is evident from their conſtant Cuſtom of appealing from the Parliament to the People, and publiſhing in Pamphlets thoſe Arguments which they have found themſelves in this Aſſembly unable to ſupport; a Practice which diſcovers rather an obſtinate Reſolution to obſtruct the Government, than Zeal for the Proſperity of their Country, and which, to ſpeak it in the ſofteſt Terms, ſeems to be ſuggeſted more by the Deſire of Popularity than the Love of Truth.'

Mr. Sandys.

SIR.

Mr. Sandys. ‘ Notwithſtanding the Confidence with which this Motion has been offered and defended, notwithſtanding the ſpecious Appearance of Reſpect to his Majeſty, by which it is recommended, I am not aſhamed to declare, that it appears to me inconſiſtent with the Truſt repoſed in us by our Conſtituents, who owe their Allegiance to the King of Great Britain and not to the Elector of Hanover.

‘ It will be urged, Sir, by the People, whom we ſit here to repreſent, that they are already embarraſſed with Debts contracted in a late War, from which, after the Expence of many Millions, and the Deſtruction of prodigious Multitudes, they received no Advantage; and that they are now loaded with Taxes for the ſupport of another, of which they perceive no Proſpect of any happy or honourable Concluſion, of either Security or Profit, either Conqueſts or Repriſals, and that they are therefore by no Means willing to ſee themſelves involved in any new Confederacy, by which they may entail on their Poſterity the ſame Calamities, and oblige themſelves to hazard their Fortunes and their Happineſs in Defence of diſtant Countries, of which many of them have ſcarcely heard, and from which no Return of Aſſiſtance is expected.’

Mr. H. Walpole.

SIR,

Mr. H. Walpole. ‘ Though it is not neceſſary to refute every Calumny that Malice may invent, or Credulity admit, or to anſwer thoſe of whom it may reaſonably be conceived that they do not credit their own Accuſations, I will yet riſe once more in Vindication of the Treaty of Hanover, to ſhew with how little Reaſon it is cenſured, to repreſs the Levity of Inſult, and the Pride of unreaſonable Triumph.

‘ The Treaty of Hanover, Sir, how long ſoever it has been ridiculed, and with whatever Contempt thoſe by whom it was negociated have been treated, was wiſe and juſt. It was juſt, becauſe no Injury was intended to any Power, no Invaſion was planned, no Partition of Dominions ſtipulated, nothing but our own Security deſired. It was wiſe, becauſe it produced the End propoſed by it, and eſtabliſhed that Security which the Auſtrians and Spaniards were endeavouring to deſtroy.

‘ The Emperor of Germany, Sir, had then entered into a ſecret Treaty of Alliance with Spain, by which nothing leſs was deſigned than the total Deſtruction of our Liberties, the

the Diminution of our Commerce, the Alienation of our Dominions, and the Subverſion of our Conſtitution. We were to have been expelled from Gibraltar, and totally excluded from the Mediterranean Seas, the Pretender was to have been exalted to the Throne, and a new Religion, with the Slavery that always accompanies it, to have been introduced amongſt us, and Oſtend was to have been made a Port, and to have ſhared the poor Remains of our Commerce to foreign Nations.

'This unjuſt, this malicious Confederacy was then oppoſed with the utmoſt Vehemence by Prince *Eugene*, whoſe Courage and military Capacity are celebrated throughout the World, and whoſe political Abilities, and Knowledge of the Affairs of Europe, were equal to his Knowledge of War. He urged with great Force, that ſuch a Confederacy would diſunite the Emperor for ever from the Maritime Powers, by which it had been ſupported, and which were engaged by one common Intereſt in the Promotion of its Proſperity: But his Remonſtrances availed nothing, and the Alliance was concluded.

'When our antient Allies, who had been ſo often ſuccour'd with our Treaſure, and defended by our Armies, had entered into ſuch Engagements; when it was ſtipulated not only to impoveriſh but enſlave us; not only to weaken us Abroad, but to deprive us of every domeſtic Comfort; when a Scheme was formed that would have ſpread Miſery over the whole Nation, and have extended its Conſequences to the loweſt Orders of the Community, it was ſurely neceſſary to fruſtrate it by ſome Alliance, and with whom could we then unite, but with France.

'This is not the only Fact on which Gentlemen have ventured to ſpeak with great Freedom without ſufficient Information; the Conduct of our Allies in the late War has been no leſs miſrepreſented than that of our Miniſters in their Negotiations. They have been charged with impoſing upon us the whole Expence of the Confederacy, when it may be proved, beyond Controverſy, that the annual Charge of the Dutch was five Millions.

'Nor did they, Sir, only contribute annually thus largely to the common Cauſe, but when we forſook the Alliance, and ſhamefully abandoned the Advantages we had gained, they received our Mercenaries into their own Pay, and expended nine Millions in a ſingle Year.

'Of the Truth of theſe Aſſertions it is eaſy to produce inconteſtable Evidence, which, however, cannot be neceſſary to any Man who reflects, that from one of the moſt wealthy Nations in the World, the Dutch, with all their

Commerce, and all their Parſimony, are reduced to Penury and Diſtreſs; for who can tell by what Means they have ſunk into their preſent low Condition, if they ſuffered nothing by the late War?

'How this Gentleman, Sir, has been deceived, and to whoſe Inſinuations his Errors are to be imputed, I am at a Loſs to diſcover; I hope he will by this Confutation be warned againſt implicit Credulity, and remember with what Caution that Man is to be truſted, whoſe pernicious Councils have endangered his Country.'

Mr. Vyner.

SIR,

Mr. Vyner. 'It is, in my Opinion, an inconteſtable Maxim, that no Meaſures are eligible which are unjuſt; and that therefore, before any Reſolutions are formed, we ought to examine not what Motives may be ſuggeſted by Expedience, but what Arguments may be advanced by Equity on one Part or the other.

'If I do not miſtake the true Intent of the Addreſs now propoſed, we are invited to declare that we will oppoſe the King of Pruſſia in his Attempts upon Sileſia, a Declaration in which I know not how any Man can concur, who knows not the Nature of his Claim, and the Laws of the Empire. It ought therefore, Sir, to have been the firſt Endeavour of thoſe by whom this Addreſs has been ſo zealouſly promoted, to ſhew that his Claim, ſo publicly explained, ſo firmly urged, and ſo ſtrongly ſupported, is without Foundation in Juſtice or in Reaſon, and is only one of thoſe imaginary Titles, which Ambition may always find to the Dominions of another.

'But no Attempt has yet been made towards the Diſcuſſion of this important Queſtion, and therefore I know not how any Man can call upon us to oppoſe the King of Pruſſia, when his Claim may probably be juſt, and, by Conſequence, ſuch as, if it were neceſſary for us to engage in the Affairs of thoſe diſtant Countries, we ought to join with him in aſſerting.'

Lord Gage.

SIR,

Lord Gage. 'As no Member of this Aſſembly can feel a greater Degree of Zeal for his Majeſty's Honour than myſelf, none ſhall more readily concur in any Expreſſion of Duty or Adherence to him.

'But I have been always taught that Allegiance to my Prince is conſiſtent with Fidelity to my Country, that the Intereſt of the King and the People of Great Britain are the ſame,

ſame, and that he only is a true Subject of the Crown, who is a ſteady Promoter of the Happineſs of the Nation.

'For this Reaſon I think it neceſſary to declare, that Hanover is always to be conſidered as a Sovereignty ſeparate from that of Great Britain, and as a Country with Laws and Intereſts diſtinct from ours; and that it is the Duty of the Repreſentatives of this Nation, to take care that Intereſts ſo different may never be confounded, and that Great Britain may incur no Expence of which Hanover alone can enjoy the Advantage.

'If the Elector of Hanover ſhould be engaged in War with any of the Neighbouring Sovereigns, who ſhould be enabled by a Victory to enter into the Country, and carry the Terrors of War through all his Territories, it would by no Means be neceſſary for this Nation to interpoſe; for the Elector of Hanover might loſe his Dominions without any Diſadvantage or Diſhonour to the King or People of Great Britain.'

The Addreſs was agreed to without Diviſion.

A LIST

A LIST *of the* MEMBERS *of the* *Parliament of GREAT-BRIT* *from* 1734 *to* 1741.

BEFORD County. Sir Rowland Alſton, Ho
(*a*) Spencer, Sir Roger Burgoyne, Bart.
Bedford. Sam. Ongley, Sir Jer. Sambroke, B
Sir Boteler Charnocke, Bart.
BERKS County. Winch. Howard Packer, William
died, Penyſton Powney.
Windſor. Lord Vere Beauclerck, Lord Sidney Beauc
Reading. Richard (*b*) Pottenger, *died*, John Blagrave,
Grey Nevil, *died*, William (*c*) Strode, John Dod
Wallingford. Thomas Towers, William Hucks, *d*
ſeph Townſend.
Abingdon. Robert Hucks.
BUCKINGHAM County. Sir Thomas Lee, Bart.
liam Stanhope, *Knight of the Bath.*
Buckingham. George Denton, Richard Grenville.
Wycomb. Harry Waller, Edmund (*d*) Waller, Sir
Vernon, Knt.
Aylesbury. Chriſtopher Towers, Sir George (*e*) Ch
Knt.
Agmondesham. Henry Marſhal, Thomas Lutwyc
Thomas Gore.
Wendover. John Hampden, John (*f*) Boteler, Ld.
Limerick.
Marlow. Sir Thomas Hoby, Bart. Edmund Waller
CAMBRIDGE County. Henry (*g*) Bromley, Samu
heard.
Cambridge Univerſity. Hon. Edward Finch, Hon.
Townſend.
Cambridge Town, Sir John Hynd Cotton, Bart.
Selater Bacon, *died*, Gilbert Affleck.
CHESTER County. Char. Cholmondeley, John Cr

(*a*) *Made his Election for Woodſtock.* (*b*) *Made*
Judge, and re-choſen, died. (*c*) *Voted not du*
(*d*) *Made his Election for Marlow.* (*e*) *Alderman of*
(*f*) *Void Election as to him.* (*g*) *Crea*
Montfort.

Cheſter City. Sir Robert Groſvenor, Bart. Sir Charles Bunbury, Bart.

CORNWALL County. Sir William Carew, Bart. Sir John St. Aubin, Bart.

Launceſton. Sir William Morrice, Bart. John (*b*) King, Sir William (*i*) Irby, Bart.

Leſkard. Rich. Elliot, Geo. Dennis, *died*, Char. Trelawney.

Leſtwithiel. Richard Edgcumbe, Philip Lloyd, *died*, Matthew Ducie (*k*) Morton, Sir John Croſs, Bart.

Truro. Robert Trefuſis, Kellond Courtenay.

Bodmyn. John Laroche, Sir John Heathcote, Bart.

Helſton. John Evelyn, John Harris.

Saltaſh. Thomas Corbet, Lord Glenorchy, *K. B.*

Camelford. Sir Thomas Lyttelton, Bart. Colonel James Cholmondeley.

Weſtlow. Edw. (*l*) Trelawney, Sam. Holden, *died*, Henry Legge, John (*m*) Willes, John (*n*) Strange.

Grampound. Thomas Hales, Philip Hawkins, *died*. Capt. Thomas Trefuſis.

Eaſtlow. Charles Longueville, John Owen.

Penryn. Sir Richard Mill, Bart. John Clavering.

Tregony. Henry Penton, John Goddard, *died*, Sir Robert Cowan, Knt. *died*, Joſeph Gulſton.

Boſſiney. Lord Viſc. Palmerſton, Townſend Andrews, *died*, Hon. Peregrine Poulet.

St. Ives. Sir Rob. Rich, Bart. William Mackworth Praed.

Fowey. Jonathan Raſhleigh, John Hedges, *died*, William Wardour.

St. Germans. Charles Montagu, Charles Lord Baltimore.

St. Michael. Robert Ord, Thomas Watts.

Newport. Sir John Moleſworth, Bart. Hon. Thomas Herbert, *died*, Hon. Nicholas Herbert.

St. Mawes. Henry Vane, Richard Plummer.

Kellington. Thomas Coppleſton, Iſaac Leheup.

CUMBERLAND County. Sir James Lowther, Bart. Sir Joſeph Pennington, Bart.

Carliſle City. Hon. Charles Howard, John Hylton.

Cockermouth. Hon. Wilfrid Lawſon, Bart. *died*, Eldred Curwen.

DERBY County. Lord Charles Cavendiſh, Sir Nathaniel Curzon, Bart.

(*b*) *Made his Election for* Exeter. (*i*) *Voted duly elected upon a Petition.* (*k*) *Succeeded his Father as Lord* Ducie. (*l*) *A Commiſſioner of the Cuſtoms.* (*m*) *Commiſſioner of Trade*, 1000*l.* (*n*) *Made Lord Chief Juſtice of the Common Pleas.*

Derby. Lord James Cavendiſh, Hon. Charles Stanhope, *died*; Hon. John Stanhope.

DEVON County. Henry Rolle, Sir William Courtenay, Bart. *died*, John Bampfylde.

Exeter. Thomas Balle, Hon. John (*n*) King, Sir Henry Northcote, Bart.

Totneſs. Sir Charles Wills, *K. B.* Joſeph Danvers.

Plymouth. Arthur Stert, Hon. Robert (*o*) Byng, Capt. Char. Vanbrugh, *died*, Lord Henry Beauclerck.

Oakhampton. Thomas Pitt, Wm. Northmore, *died*, George Lyttelton.

Barnſtaple. Theophilus Forteſcue, Sir John Chicheſter, Bart. *died*, John Baſſet.

Plympton. Thomas Clutterbuck, Rich. (*p*) Edgcumbe (*now Lord* Edgcumbe,) Tho. Walker.

Honiton. Sir William Yonge, Bart. Sir William Courtenay, Bart.

Taviſtock. Sidney Meadows, Hon. Charles Fane.

Aſhburton. Sir Wm. (*q*) Yonge, Bart. Thomas Bladen, Roger Tuckfield, *died*, Joſeph Taylor.

Dartmouth. George Treby, Walter Cary.

Berealſton. John Briſtowe, Sir Francis Henry Drake, Bart. *died*, Samuel Heathcote.

Tiverton. Arthur Arſcott, Dudley Ryder.

DORSET County. Geo. Chaffin, Edmund Morton Pleydell.

Poole. George Trenchard, Thomas Wyndham.

Dorcheſter. John Browne, Sir Wm. (*r*) Chapple, Knt. Robert Browne.

Lyme Regis. Henley Holt Henley, John Scrope.

Weymouth. Tho. Pearce, Edward (*s*) Tucker, John Olmius.

Melcomb Regis. George Doddington, George Bubb (*t*) Dodding'on, John Tucker.

Bridport. William Bowles, Solomon Aſhley.

Shaftſbury. Philip (*u*) Bennet, Stephen (*x*) Fox, Jacob Banks, *died*, Philip Bennet.

Wareham. Henry Drax, John Pitt.

Corfe Caſtle. John Bond, John Banks.

(*n*) *Succeeded his Father as Lord* King. (*o*) *Made Governor of* Barbadoes. (*p*) *Joint Treaſurer of* Ireland, 4000 *l.* *Made his Election for* Leſtwithiel (*q*) *Made his Election for* Honiton. (*r*) *Made one of the Juſtices of the King's-Bench.* (*s*) *Seat vacated, being made Surveyor of his Majeſty's Quarries in the Iſle of* Portland. (*t*) *Made his Election for* Bridgwater. (*u*) *Not duly elected.* (*x*) *Created Lord* Ilcheſter *at the Expiration of this Parliament.*

DURHAM

DURHAM County. John Hedworth, George Bowes.
Durham City. Henry Lambton, John Shaftoe.
ESSEX County. Sir Robert Abdy, Bart. Thomas Bramſton.
Colcheſter. Matthew Martin, Iſaac Lemyng Rebow, *died,* Jacob Houblon.
Malden. Colonel Martin Bladen, Henry Parſons, *died,* Benjamin Keene.
Harwich. Hon. Charles Stanhope, Carteret Leathes.
GLOUCESTER County. Thomas Cheſter, Hon. Benjamin Bathurſt.
Glouceſter City. Hon. Benjamin Bathurſt, Col. John Selwyn.
Cirenceſter, Thomas Maſter, William *(y)* Wodehouſe, *died,* Hon. Henry Bathurſt.
Tewkſbury. Lord Viſcount Gage, Robert Tracy.
HEREFORD County. Velters Cornewal, Hon. Edward Harley.
Hereford. Thomas Foley, jun. Sir John Morgan, Bart.
Leominſter. Sir George Caſwell, Robert Harley.
Weobly. Sir John Buckworth, Bart. John Birch, *died,* Capt. James (*z*) Cornewall.
HERTFORD County. William Plummer, Sir T. Saun. Seabright, Bart. *died,* Charles Cæſar, *died* (*a*).
St. Albans. Sir Tho. Aſton, Bart. Tho. Aſhby.
Hertford Town. Nathaniel Braſſey, Sir Tho. Clerke, Knt.
HUNTINGTON County. Rob. Piggot, Ld. Robert (*b*) Montagu, Charles Clarke.
Huntington Town. Hon. Edward Wortley Montague, Col. Handaſyde.
KENT County. Sir Edward Dering, Bart. Lord Vane, *died,* Sir Chriſtopher Powell, Bart.
Canterbury. Sir Wm. (*c*) Hardreſs, Bart. Sir Thomas Hales, Bart. Thomas (*d*) Broadneux.
Rocheſter. David Polhill, Admiral Haddock.
Maidſtone. Wm. Horſmanden Turner, John Finch, *died,* Hon. Capt. Robert Fairfax.
Queenborough. Rich. Evans, Sir Geo. Saunders, Knt. *died,* Lord Archibald Hamilton.
LANCASTER County. Rich. Shuttleworth, Sir Edw. (*e*) Stanley, Bart. Peter Bold.

(*y*) *Choſen alſo for* Norfolk. (*z*) *Captain of a Man of War, declared duly elected againſt Mr.* Birch. (*a*) *No Writ for a new Member.* (*b*) *Succeeded his Brother as Duke of* Manchester. (*c*) *Not duly elected.* (*d*) *Changed his Name to* May, *ſince to* Knight. (*e*) *Succeeded as Earl of* Derby.

Preſton. Nicholas Fazakerley, Sir Henry Houghton, Bart.
Lancaſter. Sir Thomas Lowther, Bart. Robert Fenwick.
Newton. William Shippen, Eſq; Legh Maſter.
Wigan. Earl of Barrymore, Sir Roger Bradſhaigh, Bart.
Clitheroe. Thomas Liſter, William Curzon.
Liverpoole. Thomas Brereton, Richard Gildart.
LEICESTER County. Edw. Smith, Ambroſe Philips, *dec.* Harry Lord (*f*) Grey, Lord (*g*) Gueraſey.
Leiceſter Town. George Wright, Sir Geo. Beaumont, Bart. *died*, James Wigley.
LINCOLN County. Robert Vyner, Sir T. L. (*i*) Sanderſon, *K. B.* Thomas Whitchcot.
Lincoln City. Hon. Charles Monſon, Coningſby Sibthorpe.
Boſton. Albemarle Bertie, Richard Fydell.
Grimſby. Robert Knight, Sir Robert Sutton, *K. B.*
Stamford. William Noel, John Proby.
Grantham. Lord Tyrconnel, *K. B.* Sir Michael Newton, Bart. *K. B.*
MIDDLESEX County. Wm. Pulteney, (*now Earl of Bath*) Sir Francis Child, Knt *died*, Sir Hugh Smithſon, Bart.
Weſtminſter. Lord Sundon, Sir Charles Wager, Kt.
London. Hump. (*k*) Parſons, Sir John Barnard, Knt. Micajah Perry, Robert Willimot, *Aldermen.*
MONMOUTH County. Col. (*l*) Morgan, Major John Hanbury, *died*, Charles Hanbury Williams,
Monmouth Town. Lord Charles Noel Somerſet.
NORFOLK County. Sir Edmund (*m*) Bacon, Bart. William Wodehouſe, *died.* Armine Wodehouſe.
Norwich. Horatio Walpole, Waller Bacon, *died*, Tho. Ver
Lynn Regis. Sir Rob. Walpole, *K. G.* (*now Earl of Orford*) Sir Charles Turner, Bart. *died*, Sir John Turner, Bart.
Great Yarmouth. Edw. Walpole, Hon. W. Townſend, *dec.* Hon. Roger Townſend.
Thetford. Charles Fitzroy, Sir Edm. (*n*) Bacon, Bart. Lord Auguſtus Fitzroy.
Caſtle-Riſing. Lieut Gen. Charles Churchill, Thomas Hanmer, *died*, Lord Viſcount Andover.
NORTHAMPTON County. Thomas Cartwright, Sir John Iſham, Bart. *died*, Sir Edmund Iſham, Bart.
Peterborough. Edward Wortley, Armſted Parker.

(*f*) *Succeeded his Father as Earl of* Stamford. (*i*) *Succeeded his Brother as Earl of* Scarborough. (*k*) *Died; no new Writ.* (*l*) *Lieutenant of the County.* (*m*) *Of* Garboldiſham. (*n*) Gillingham; *died.*

Northampton

Northampton Town. Honourable George Compton, William Wilmer.

Brackley. Sir Paul Methuen, *K. B. and P. C.* George Lee, *L. L. D.*

Higham-Ferrers. Hon. John Finch.

NORTHUMBERLAND County. Sir Wm. Middleton, Bart. Ralph (o) Jennifon.

Newcaſtle upon Tyne. Nicholas Fenwick, Walter Blacket.

Morpeth. Sir Henry Lyddel, Bart. Hen. Viſc. (p) Morpeth, Henry Furneſe.

Berwick. Lord (q) Polwarth, Will-Wildman Viſc. Barrington, George Lyddel, *died*, Thomas Watſon.

NOTTINGHAM County. William Levinz, jun. Tho. Bennet, *died*, Hon. John Mordaunt.

Nottingham Town. John Plumptree, Borlace Warren.

East Retford. Sir Robert Clifton, Bart. *K. B.* John White.

Newark upon Trent. James Pelham, Brigadier Gen. Sutton, *died*, Lord Wm. Manners.

OXFORD County. Sir William Stapleton, Bart. *died*, Henry Perrot, *died*, Lord Viſcount Quarrendon, Sir John Daſhwood, Bart.

Oxford Univerſity. Lord Viſcount Cornbury, George Clark, *L. L. D. died*, Wm. Bromley, *died*, Edw. Butler, *L. L. D.*

Oxford City. Thomas Rowney, Matthew (r) Skinner, James Herbert, *died*, Philip Herbert.

Woodſtock. Hon. John Spencer, James Dawkins.

Banbury. Lord Viſc. Wallingford, *died*, William Moore.

RUTLAND County. Hon. James Noel, Hon. Tho. Noel.

SALOP County. Sir John Aſtley, Corbet Kynaſton, *died*, Richard Lyſter.

Salop Town. Sir Rich. Corbet, Bart. William Kynaſton.

Bridgenorth. Tho. Whitmore, Grey James Grove,

Ludlow. Henry Arthur Herbert, Richard Herbert.

Great Wenlock. Wm. Forreſter, Samuel Edwards, Brooke Forreſter.

Biſhop's Caſtle. Robert Moore, Edward Kynaſton.

SOMERSET County. Tho Strangeways Horner, Sir Wm. Wyndham, Bart. *died*, Tho. Prowſe.

Briſtol. Sir Abraham Elton, Bart. Tho. Coſter, *died*, Edw. Southwell.

Bath. General George Wade, John Coddrington.

(o) *Maſter of the Buck-Hounds.* (p) *Succeeded his Father as Earl of* Carliſle. (q) *Succeeded his Father as Earl of* Marchmont *in* Scotland. (r) *Made Chief Juſtice of* Cheſter.

Wells. Thomas (*t*) Edwards, George (*t*) Hamilton, William Piers, George Speke.
Taunton. Francis Fane, Hen. William Portman.
Bridgwater. Geo. Bubb Doddington, Tho. Palmer, *died*, Sir Charles Wyndham, Bart.
Minehead Francis Whitworth, Alexander Lutterel, *died*, Sir William Codrington, Bart. *died*, Thomas Carew.
Ilcheſter Sir Robert Brown, Charles Lockyer.
Milbourn Port. Thomas Medlycot, Michael Harvey.
SOUTHAMPTON County. Lord Harry Powlet, Edw. Lisle.
Wincheſter George Bridges, Powlett St. John.
Southampton Town. Sir William Heathcote, Bart. Anthony (*t*) Henley, John Conduit, *died*, Tho. Lee Dummer.
Portſmouth Philip Cavendiſh, Thomas Lewis, *died*, Charles Stewart, *died*, Admiral Edward Vernon.
Yarmouth in the Iſle of Wight. Lord Harry (*u*) Powlett, Anthony Chute, Paul Burrard, *died*, Thomas Gibſon.
Peterſfield Sir William Jolliffe, Knt. Edward Gibbon.
Newport in the Iſle of Wight George Huckley, Wm. (*x*) Fortescue, Lord Viſcount Boyne.
Stockbridge. Sir Humphrey Monnoux, Bart. John Monnoux, *died*, John Berkely.
Newtown. James Worſley, Thomas Holmes.
Chriſtchurch. Edw. Hooper, Joſ. Hinxman, *died*, Charles Armand Powlett,
Lymington. Sir John Cope, Bart. Maurice Bockland.
Whitchurch. John Selywn, jun. John Conduit, *died*, Colonel Mordaunt.
Andover. Wm. Guidott, John Pollen.
STAFFORD County. Hon. Wm. Leveſon Gower, Sir Walter Wagſtaff Bagot, Bart.
Litchfield. Geo. Venables Vernon, Sir Rowland Hill, Bart.
Stafford Town. Hon. Wm. Chetwynd, Thomas Foley, *died*, John Lord Viſcount Chetwynd.
Newcaſtle under Lyne. Hon. Baptiſt Leveſon Gower, John Lawton, jun. *died*, Randal Wilbraham.
Tamworth. Ld. John Philip Sackville, Hon. G. (*y*) Compton, Charles Cotes, *M D.*
SUFFOLK County. Sir Jermyn Davers, Bart. Sir Robert Kemp, Bart. *died*, Sir Cordell Firebrace, Bart.
Ipſwich. William Woolaſton, Samuel Kent.

(*t*) *Both voted not duly elected.* (*t*) *Not duly elected.*
(*u*) *Made his Election for the County.* (*x*) *Made a Baron of the Exchequer.* (*y*) *Made his Election for* Northampton.

Dunwich.

Dunwich. Sir George Downing, Bart. *K. B.* Sir Orlando (z) Bridgeman, Bart. Wm. Morden.
Oxford. Rich. Powys, Lewis Barlow, *died*, Briga. John Cope.
Aldborough. Wm. Conolly, Geo. Purvis, *died*, Fran. Gaſhry.
Sudbury. Richard Price, Edward Stephenſon.
Eye. Hon. Brig. Steph. Cornwallis, Hon. John Cornwallis.
St. Edmunds Bury. Hon. Thomas Hervey, Colonel Thomas Norton.
SURREY County. Hon. ARTH. (a) ONSLOW, Tho. Scawen.
Southwark. Tho. Inwen, Geo. Heathcote
Blechingley. Sir William Clayton, Kendrick Clayton.
Ryegate, James Cocks, Joſeph Jekyll, Knt. *died*, John Hervey.
Guilford. Hon. Rich. Onſlow, Hon. Rich. (b) Onſlow, Hon. Denzil Onſlow.
Gatton. Paul Docminique, *died*, Charles Docminique, Wm. Newland, *died*, George Newland, *L. L. D.*
Haſtemere. George Oglethorpe, Peter Burrel.
SUSSEX County. Hon. Henry Pelham, James Butler.
Chicheſter. James Brudenell, Thomas Yates.
Horſham. Char. Eversfield, Hon. Henry (c) Ingram, Hon. Charles Ingram.
Midhurſt. Thomas Bootle, Bul. Peachey Knight, *died*, Sir Harry (d) Peachey, Knt. *died*, Sir John Peachey, Bart.
Lewes. Thomas Pelham, Thomas Pelham, ſen. *died*, John Trevor.
New Shoreham. John (e) Phillipſon, Tho. Frederick, *died*, John Frederick.
Bramber. Sir Harry Gough, Bart. Harry Gough.
Steyning. Marquis Carnarvan, Sir Rob. Fagg, Bart. *died*, Hitch Younge.
Eaſt Grinſted. Earl of Middleſex, Edward Conyers.
Arundel. Sir John Shelley, Bart. Hon. John Lumley, *died*, Garton Orme.
WARWICK County. Sir Charles Mordaunt, Bart. Hon. Edward Digby.
Coventry. Sir Adolphus Oughton, Bart. *died*, John (f) Neale, John Neale, John (g) Bird, Earl of Euſton.
Warwick Town. Thomas Archer, Henry Archer.

(z) *Made Governor of* Barbadoes. (a) *Speaker of the Houſe this and the laſt Parliament.* (b) *Succeeded his Father as Lord* Onſlow. (c) *Succeeded his Brother as Viſcount* Irwin *in* Scotland. (d) *Created a Baronet, died.* (e) *Made a Commiſſioner of the Navy, and re-choſen.* (f) *Void Election.* (g) *Made a Commiſſioner of the Stamp Office.*

WEST-

WESTMORELAND County. Anthony Lowther, Wilſon.
Apulby. Sir John Ramſden, Bart. Walter Plummer.
WILTS County. John Ivory Talbot, John (g) How.
New Sarum. Peter Bathuſt, Henry Hoare.
Wilton. Hon. Robert Herbert, Hon. Wm. Herbert.
Downton. Anthony Duncombe, Joſeph Wyndham A
Hindon. George Fox, Stephen (h) Fox, Henry Fox.
Heytſbury. Edward Aſhe, Pierce A'Court.
Weſtbury. Hon. George Evans, John Bance.
Calne. Walter Hungerford, William Ducket.
Devizes. Francis Eyles, Sir Joſeph Eyles, Knt. *died* Garth.
Chippenham. Richard Long, Roger (i) Holland, Edw ton Rolt.
Malmſbury. Giles Earle, William Rawlinſon Earle.
Cricklade. Sir Thomas Reade, Bart. William Go Charles Gore.
Great Bedwyn. William Sloper, Robert Murray, E ward Popham.
Ludgerſhall. Daniel Boone, Peter Delmé.
Old Sarum. Wm. Pitt. Tho. (k) Pitt, Robert Nee
Wotton Baſſet. Sir Robert Long, Bart. Nicholas (l) L
Marlborough. Francis Seymour, Edward (m) Lill Crawley.
WORCESTER County. Edm. Lechmere, Sir Her Packington, Bart.
Worceſter City. Samuel Sandys, Richard Lockwood.
Droitwich. Thomas Winnington, Edward Foley.
Eveſham. Sir John Ruſhout, Bart. William (n) Tayl
Bewdley. William (o) Bowles, Phineas Bowles.
YORK County. Sir Miles Stapylton, Bart. Chomley
York City. Sir John Liſter Kay, Bart. Edward Tho
Kingſton upon Hull. George Crowle, Henry Maiſter
Knareſborough. Hon. Richard Arundel, Sir Henry T
Scarborough. William Thompſon, Sir William Str Bart. *died,* Lord Viſcount (p) Dupplin, William baldiſton.

(g) *Created Lord* Chedworth. (h) *Made his for* Shaftſbury. (i) *Made a* Welch *Judge.* *his Election for* Oakhampton. (l) *Captain of a prevent Smuggling.* (m) *Made his Election for* Ha (n) *Died; no new Writ iſſued.* (o) *Made his El* Bridport. (p) *Son of the Earl of Kinnoul, duely elected.*

Ripon. William Aiſlabie, Thomas Duncombe.
Richmond. Sir Conyers D'Arcy, *K. B.* John Yorke.
Heydon. Sir Francis Boynton, Bart. George Berkeley.
Borough bridge. Lieut. Gen. James Tyrrel, Geo. Gregory.
Malton. Sir William Wentworth, Bart. Hon. Henry Finch.
Thirſk. Sir Thomas Frankland, Bart. Fredrick Frankland.
Aldborough. John Jewkes, Andrew Wilkinſon.
Beverley. Ellerker Bradſhaw, Sir Char. Hotham, Bart. *died,* Charles Pelham.
North Allerton. Henry Peirſe, Leonard Smelt, *died,* William Smelt.
Pontefract. Lord Galloway, Sir William Lowther, Bart.

CINQUE PORTS.

Haſtings. Sir William Aſhburnham, Bart. Thomas Pelham, jun.
Dover. David Papillon, Thomas Revell.
Sandwich. Sir George Oxenden, Bart. Joſiah Burchett.
Hythe. Hercules Baker, William Glanville.
New Romney. Stephen Biſſe, David (*q*) Papillon, Sir Robert Auſten, Bart.
Rye. Sir John Norris, Knt. *P. C.* Philips Gybbon.
Winchelſea. Robert Briſtow, Edmund Hungate Beaghan.
Seaford. Sir Wm. Gage, Bart. *K. B.* Wm. Hay.

WALES.

Angleſea. Nicholas Bailey.
Beaumaris. Lord Viſcount Bulkeley, *died,* Lord Viſcount (*r*) Bulkeley.
BRECON County. John Jefferies.
Brecon Town. John (*s*) Talbot.
CARDIGAN Shire. Walter Lloyd.
Cardigan Town. Richard Lloyd.
CAERNARVAN County. John Griffith, *died,* John Wynn.
Caernarvan Town. Thomas Wynne.
DENBIGH County. Sir Wat. Williams Wynne, Bart.
Denbigh Town. John Middleton.
FLINT County. Sir Thomas Moſtyn, Bart.
Flint Town. Sir George Wynne, Bart.
GLAMORGAN County. Hon. Wm. (*t*) Talbot, Buſſy Manſell.

(*q*) *Made his Election for* Dover. (*r*) *Brother of the former Lord.* (*s*) *Made a* Welch *Judge, and re-choſen.* (*t*) *Succeeded his Father as Lord* Talbot.

Cardiff.

Cardiff. Herbert (*u*) Windſor, Herbert Mackworth.
MERIONETH County. William Vaughan.
MONTGOMERY County. Hon. Price (*x*) Devereux, Ra
Williams.
Montgomery Town. William Corbet.
PEMBROKE County. John (*y*) Campbell.
Pembroke Town. William Owen.
Haverford Weſt. Sir Eraſmus Philips, Bart.
RADNOR County. Sir Humphry Howarth, Knt.
New Radnor. Thomas Lewis.

SCOTLAND.

Shire of ABERDEEN. Sir Arthur Forbes, Knt. and Ba
Shire of AIR. James Campbell.
Shire of ARGYLE. Sir James (*z*) Campbell, Bart. Ca
Charles Campbell.
Shire of BAMF. James Abercrombie.
Shire of BERWICK. Alex. Hume Campbell.
Shire of BUTE and CATHNESS. Brig. Peter Campbe
Shire of CLACKMANNAN and KINROSS. James Erſk
Shire of CROMARTIE and NAIRN. John (*a*) Camp
Alex. Brodie, *of Leatham.*
Shire of DUMFRIES. Charles (*b*) Areſkine.
Shire of DUNBARTON. Col. Charles Campbell.
Shire of EDINBURGH. Robert (*c*) Dundaſs, Sir Ch
Gilmour, Bart.
Shire of ELGIN. Alex. Brodie, *of Brodie.*
Shire of FIFE. Sir John Anſtruther, Bart.
Shire of FORFAR. Hon. Thomas (*d*) Lyon, Hon.
William Maule.
Shire of HADDINGTON. John Cockbourn.
Shire of INVERNESS. Sir James Grant, Bart.
Shire of KINCARDIN. John Falconar.
Shire of KIRCUDBRIGHT. Patrick Heron.
Shire of LANERK. Lord Wm. Hamilton, *died*, Sir J
Hamilton, Bart.
Shire of LINLITHGOW. Alexander Hamilton.

(*u*) *Succeeded to the Title of Viſc.* Windſor (Iriſh.) *and*
Montjoy (Engliſh.) (*x*) *Succeeded his Father as Vi*
Hereford. (*y*) *Made a Lord of the Admiralty, a*
choſen. (*z*) *Made his Election for* Stirlingſhire. (*a*)
his Election for Pembroke. (*b*) *King's Advocate.* 1
(*c*) *Made a Lord of the Seſſion.* (*d*) *Succeeded his Bro*
Earl of Strathmore.

Shire of ORKNEY and ZETLAND. Col. Robert Douglaſs.
Shire of PEEBLES. Sir James Naſmith.
Shire of PERTH. Lord John Murray.
Shire of RENFREW. Alexander Cunningham.
Shire of ROSS. Hugh Roſe.
Shire of ROXBURGH. John Rutherford.
Shire of SELKIRK. John Murray.
Shire of STERLING. Sir James Campbell.
Shire of SUTHERLAND. James Saint Clair.
Shire of WIGTOWN. Hon. William Dalrymple.

ROYAL BURGHS of SCOTLAND.

Edinburgh. Patrick Lindſay.
Kirkwall, Weeke, Taine, Dingwall. Sir Rob Munro, Bart.
Fortroſſe, Inverneſſe, Nairne, &c. Duncan (*e*) Forbes, Duncan Urquhart.
Elgin, Cullin, Bamff, &c. William Steuart.
Brechine, Aberdeen, Montroſe, &c. John Middleton, *died,* John Maule.
Forfar, Perth, Dundee, &c. John Drummond.
Crail, Anſtruther, Pittenweem. Maj. Gen Philip (*f*) Anſtruther.
Kinghorn, Dyſert, Kirkaldie, &c. Thoma Leſlie.
Innerkithen, Cullroſs, Stirling, &c. Capt Peter Halket.
Rutherglen, Glaſcow, Renfrew, Dunbarton. Wm. Campbell.
Selkirk, Peebles, Lanerk. Hon. James Carmichael.
Haddington, Dunbar, Jedburgh. James Fall.
Dumfries, Kirkcudbright. Char (*g*) Areſkine, Wm. (*h*) Kirkpatrick, Sir Robert Laurie, Bart
Wigtown, New Galloway, &c. Col. James (*i*) Steuart.
Rothesay, Air, Irwin, Inverary. Col. James (*k*) Steuart.

(*e*) *Made Lord Preſident.* (*f*) *Lieutenant-Governor of* Minorca, *and Colonel of a Regiment of Foot,* 1000 *l.* (*g*) *Made his Election for the Shire of* Dumfries. (*h*) *Made one of the principal Clerks of the Seſſion.* (*i*) *Of* Baillienhir. (*k*) *Of* Torrence.

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FINIS.

ADDENDA to the First Volume.

Mr *Hutcheſon*'s SPEECH

Againſt REPEALING the

TRIENNIAL ACT.

Mr Speaker,

I Cannot content myſelf in the great Queſtion now before you, to deliver my Opinion barely by voting in it; for I think it of that Importance to the Nation, to deſerve and need the moſt thorough Examination. I heartily wiſh it might have had a much longer Time of Conſideration, than I perceive Gentlemen are diſpoſed to give it; but ſince we are entered on the Debate of it, I ſhall endeavour to expreſs my Thoughts about it with great Plainneſs and Freedom. Anno 2. Geo. I. 1716.

'My preſent Opinion, Sir, according to the beſt Judgment I am able to form, is, That if we ſhould give our Conſent to the Paſſing of the Bill before us into a Law, we ſhould be guilty of the moſt notorious Breach of the Truſt repoſed in us, by thoſe who ſent us hither, and ſhould make a very dangerous Step towards the Undermining of that Conſtitution, which our Anceſtors have been ſo careful to preſerve, and thought no Expence, either of Blood or Treaſure, too much for that Purpoſe, and under which we do yet enjoy thoſe Privileges, and Advantages, which no other Nation in the World can at this Day boaſt of.

'This is the Light in which the Bill yet appears to me; and therefore if I did believe what ſome Gentlemen do, That it would be conducive to ſeveral good Ends, yet that would not be ſufficient to gain my Conſent thereto; for I cannot think thoſe Ends, however deſirable, equivalent to ſuch a Price, as that of giving up, or even of making a dangerous Advance towards the giving up entirely, the Britiſh Conſtitution. Much leſs would I give my Conſent to ſuch a Law, when I am of Opinion, That it would be ſo far from contributing to the Ends pretended to be aimed at thereby, *that it would have the* direct contrary Effect: And if we

Anno 2. Geo. I. 1716.

are not to do Evil that Good may come of it, ſurely we muſt not do Evil, only to bring Miſchief upon ourſelves.

'Theſe are my Reaſons againſt the Bill, That our Conſent to it would be a Breach of Truſt, and a dangerous Breach upon our Conſtitution; and that, if it were not liable to this Objection, That yet it would ſerve to Purpoſes directly contrary to thoſe pretended to be aimed at, by Gentlemen who are for the Bill; I ſhall endeavour to explain myſelf in theſe Points.

'Give me Leave therefore to mention, what appears to me to have been the ancient Conſtitution of Parliament, and alſo how the ſame has been, and ſtands changed at this Time, with Relation to the Matter which is now the Subject of our Debate. I believe it will, nay, it muſt be agreed, That before the Reign of Henry VIII. there was no ſingle Inſtance of a Prorogation of Parliament: That Parliaments had only one Seſſion, and thoſe generally very ſhort ones, none of which ever laſted a Year: That to prevent the Miſchief of long Intervals of Parliament, it was enacted in the fourth Year of Edward III. That Parliaments ſhould be holden annually, and this was confirmed by ſubſequent Acts of Parliament: And therefore I may venture to affirm, That by the ancient Conſtitution, Parliaments were to be holden frequently, and to be of the Continuance only of one Seſſion, and that there was no Right or Power in the Crown to prorogue the ſame: I ſay, this I can affirm, on the ſame Foundation, and with as ſtrong Reaſon, as I can affirm, That the eldeſt Son, after the Death of his Father, ſhall inherit, as Heir at Law, the Lands in Fee-Simple; or that the youngeſt Son ſhall inherit, where the Cuſtom of Borough-Engliſh prevails; or that all the Sons ſhall equally inherit the Lands of Gavel-Kind; or, indeed, as I can affirm of any Part of the common Law, or the particular Uſages of the Kingdom; for theſe are ſupported only by conſtant Practice and Preſcription immemorial; and they neither need nor can have a ſtronger Support than this; for ſurely of all Laws, thoſe muſt be allowed to carry with them the ſtrongeſt Evidence of Juſtice, which have been always ſubmitted to, without any Change or Alteration.

'The Application is obvious to the Point in Debate, I mean as far as the Reign of Henry VIII. And if at that Time this was the Conſtitution of Parliament, it will not be eaſy to ſhew how the ſame has been ſince legally changed; but I ſhall ſpeak to this more fully, after I have anſwered an Objection which has been made.' It has been ſaid, 'That it is no Proof that the Crown had no Power 'to prorogue Parliaments, and to continue the ſame Parliament for ſeveral Seſſions, although there were no Inſtances

'thereof

Anno 2. Geo. I. 1716.

'thereof until the Reign of Henry VIII.' 'If this Objection has any Weight, it will equally hold againſt any other Part of the common Law, which hath hitherto remained uncontested: For may not the younger Sons, in this Way of Reaſoning, ſay, That although there be no Inſtance, that any of them have hitherto claimed to inherit, equally with the Eldeſt, the Lands in Fee-Simple, that yet this is no Proof againſt their Right of making ſuch a Claim, and having it determined for them. And if ſuch a Caſe ſhould be brought into Weſtminſter-Hall, it is evident, that there is no Act of Parliament which ſettles the Point, nor any preceding Reſolution, becauſe the Matter was never in queſtion before; and yet ſurely no Gentleman will affirm, that the Judges would be at Liberty to determine this as a new Caſe, whatever Equity they might conceive in the Pretenſions of the younger Sons, but would be ſtrictly tied to adjudge according to the conſtant and uninterrupted Uſage. And had the Lords and Commons, when the firſt Attempt of proroguing was made upon them, inſiſted, That the Crown had no ſuch Power, and the Opinion of the Judges had been required therein, it was impoſſible that they could have determined otherwiſe, than according to the conſtant Uſage, or that they would have adjudged ſuch an original Power in the Crown, which had never been exerted, from the earlieſt Mention which our Records, or Hiſtory, make of Parliaments, to that very Day; or that they could have conceived it poſſible, that the Crown could have had ſuch a Power, and yet never have aſſerted it in one ſingle Inſtance, in the Courſe of ſo many hundred Years.

'If the Facts I have mentioned are, as they appear to me to be, undeniably true, the Inference I thence make is next to a Demonſtration; and I may venture to add, That there is no Part of our Laws built on a more ſolid Foundation, and ſupported with ſtronger Reaſons; Reaſons which muſt eternally have the greateſt Weight, and make the deepeſt Impreſſion, on the Minds of a People, who have any Senſe of Liberty: And, Thanks be to God! we are yet a Free Nation. For without the Frequency of Parliaments, the Opportunity of Redreſſing thoſe Grievances would be loſt, which more or leſs have happened in all Reigns, from the Influence and Adminiſtration of evil Counſellors, and wicked Miniſters, who will always prefer their own private Intereſts and ſiniſter Views, to the Honour of their Prince, and Welfare of their Country: And it is to the Dread which ſuch impious Monſters have always had, and I hope will ever have, of the juſt Vengeance of a Parliament, that we hitherto owe the Preſervation of our Liberties; for, had the Times of being called to an Account in Parliament been at

Anno 2. Geo. I. 1716.

any conſiderable Diſtance, the Attempts of bold and daring Men would have had no Curb; and indeed it is but one Step more, and that not difficult, from a long to the entire Diſuſe of Parliaments, and reſolving the Government into an abſolute Monarchy; but I will urge this Point no farther, becauſe I believe it will be generally allowed; and that, whatever might be the private Opinion of any particular Perſon, no Briton will be yet ſo hardy, as to declare himſelf againſt the Neceſſity of frequent Parliaments.

'I wiſh Gentlemen would as generally concur, that the other Part which I have mentioned, and I think have made appear, to have been our ancient Conſtitution, were as abſolutely neceſſary to the Preſervation of our Liberties; I mean Parliaments of one Seſſion, not only frequent, but frequent New Parliaments. The Thing indeed appears very evident to me; ſo evident, that in my poor Opinion, our Liberties would not be more, nay, not ſo precarious under an abſolute Monarch, as with a Houſe of Commons who had Right to ſit either for many Years together, or without any Limitation of Time: For 'tis certain, that a Prince, who had ſtood only on the Bottom of his own abſolute Authority, aſſiſted with a few Miniſters and ſome Troops, would ſtill think himſelf pretty much upon his good Behaviour towards the united Body of his People; and would, probably, be cautious of exerting his Power in ſuch a Manner, as to give a juſt Provocation to a general Revolt, and ſetting up another in his Stead; but a Prince, with a Parliament at his Devotion, would be infinitely more terrible, and, with much greater Security, might give a Looſe to every Extravagancy of Power; for when the Repreſentatives of the People, who are choſen by them to be the Guardians of their Liberties, can be prevailed on, for little Advantages to themſelves, to betray their Truſt, and come into all the Meaſures of a deſigning Miniſtry, 'tis then, indeed, that the Liberties of a People are in the moſt imminent Danger; and ſurely, there is great Reaſon to apprehend, that a Houſe of Commons might ſoon become very obſequious to a Miniſter, if they were to ſit for a long Period, or without Limitation, and that there were no near Day in View of a new Election, when the Conduct of Gentlemen in this Place, would be inquired into, in their reſpective Countries.

'I believe it will not be denied, That 'tis very poſſible for a Miniſtry, by Penſions and Imployments to ſome, and by the Expectations raiſed in others, and by the Corruption of Electors, and returning Officers, to obtain a very great Majority, entirely and blindly at their Devotion, even at the very firſt Meeting of a Parliament, and that by a Committee

mittee of Elections and other proper Helps, their Party may daily increaſe; and that ſuch a Parliament may be ſo far from protecting the Liberties of their Country, or from being a Terror to Evil Miniſters, as to become themſelves the Tools of Oppreſſion in the Hand of ſuch a Miniſtry, and by their Authority, to conſecrate the worſt of Actions, to declare every honeſt Patriot, who has the Courage to attempt to ſtem the Tide of Wickedneſs, and to ſtand up for the Liberties of his Country, to be its greateſt Enemy; and thoſe who are ready to give it up, to be the only true Friends of our Conſtitution; and if this ſhould ever happen to be our Caſe, I beg Gentlemen to conſider, Whether a greater Curſe could fall on any People than to have ſuch a Parliament as This entailed upon them. Anno 2. Geo. I. 1716.

'I remember very well, what an Outcry was raiſed againſt the laſt Parliament, on Suſpicion only, that a Repeal of the *Triennial Act* was intended, and the Arguments againſt it without Doors, were then the very ſame with thoſe which are now urged againſt it within: What an Inconſiſtency muſt it then appear, to ſee thoſe very Gentlemen, who were then the moſt zealous Oppoſers of ſuch an Attempt, become now the moſt violent Advocates for it? And will it not alſo in ſome Meaſure affect their Integrity, publickly to own, that the Arguments they pretended to be then influenced by, had not the leaſt Weight with them; and that the Thing in itſelf was very deſirable, when there ſhould be a good Miniſtry and Parliament in Being, and Pernicious only in the then Situation of Affairs? It was not certainly from this Conſideration, that the late Miniſtry and Parliament were diverted from the Attempt: They, doubtleſs, had a very good Opinion of themſelves, and were confirmed therein by the Voice of a great Majority of the People, and which, by a moſt ſtrange and unaccountable Witchcraft, ſtill continues in their Favour; if I may depend upon what ſeveral who have argued for the Bill ſeem to have agreed to.

'I muſt beg Gentlemen to conſider, that the Miſchief I have mentioned, will be no ways prevented by the preſent Poſture of our Affairs; for tho' we may have now a good Miniſtry and Parliament, their Continuance, notwithſtanding the intended Law, will ſtill depend on the Pleaſure of the Prince; for I do not perceive that any Gentleman will move for a Clauſe, to continue the Miniſtry for Life; or that the Parliament ſhall not be diſſolved without their own Conſents; and if, by ill Advice to his Majeſty, a Change ſhould happen, may it not ſo fall out, that a long Continuance of a new Miniſtry and Parliament, may be of infinite Prejudice to the Nation: Surely, therefore, it

will

Anno 2. Geo. 1. 1716.

will be Wiſdom, in the making of this, or any other Law, not to conſider ſome little preſent Conveniency, but the general and obvious Tendency of the ſame. I therefore think that I am yet warranted to ſay, and ſhall ſay it, 'till I am convinced that I have miſtaken the Matter, That frequent new Parliaments was the ancient Conſtitution; that until the Reign of Henry VIII. there was no ſtronger Evidence for any Part of the common Law, than there was for this Part of our Conſtitution; and that the ſame was built, and ſtands upon as ſolid a Foundation as any Law ever did, or can do, being abſolutely neceſſary and eſſential to the Liberties of a free People.

'It is true, Henry VIII, in the 21ſt Year of his Reign, prorogued the Parliament, which was the firſt Inſtance of this Kind, and ſucceeding Princes have, more or leſs, continued the ſame Practice; but I can in no wiſe agree, to what ſome Gentlemen would thence infer, That the Crown had always a Right to do ſo; for I think I have made the contrary very evidently appear; and that until the 21ſt of Henry VIII, no Part of our common Law was better eſtabliſhed than this ancient Engliſh Conſtitution of frequent new Parliaments; but it is remarkable, that this having been the firſt Inſtance of a Prorogation, it was thought convenient to ſtrengthen the farther Continuance of that Parliament by Adjournment alſo: If the Crown, before the Time I have mentioned, had not the Power of continuing the ſame Parliament by Prorogations, it will not be eaſy to ſhew, how they have come legally by it ſince: Sure I am, that there is no Act of Parliament which veſts any ſuch Power in the Crown, and Preſcription immemorial is not ſo much as pretended to. The Short of the Matter ſeems to me then no more than this: A very arbitrary Prince, the better to ſerve the Ends he had then in View, boldly invades the Liberties of his People, and uſurps a new Prerogative, unheard of before; that Parliament tamely ſubmits thereto, either out of Fear, or for baſer Reaſons; perhaps, they were pleaſed with a longer Continuance, and the agreeable Proſpect of ſharing in the Advantages of Laws, which they were afterwards to make, I mean, the Diſſolution of Abbies; and although thereby the Foundation of our happy Reformation was laid, yet that is entirely owing to another Cauſe, and in no wiſe to the pious Intentions either of that Prince, or of that Parliament. This new Prerogative was at firſt uſed with much Caution, and thereby the fatal Tendency thereof was not ſo ſoon diſcovered; and when the Poſſeſſion of this Power became ſtrengthened in the Crown by a Continuance of Time, and the Acquieſcence of the Nation, it was much more difficult to get rid of the

the Innovation, than it was at firſt to have prevented the ſame; and it has been, I preſume, thought more prudent to continue our Acquieſcence, whilſt the Inconveniences were in any Meaſure ſupportable, rather than to endeavour to retrieve this moſt valuable Part of our ancient Conſtitution by Force of Arms; although this Remedy hath been reſorted to frequently, and on much ſlighter Occaſions in my Opinion. Anno 2. Geo. I. 1716.

'But I cannot ſee, that from a Power ſo aſſumed, and ſo continued, it will follow, either that the ancient Conſtitution was ſo, or that it ought to be ſo at this Day; and I muſt ſay, that whatever Arguments can be brought to ſupport that Doctrine, will equally juſtify the Exerciſe of any other Part of Arbitrary Power; for upon the ſtarting up of any new Prerogative, 'tis but ſaying, that the Crown had always a Right to it, although it was never claimed or exerciſed before; and there may be Parliaments complaiſant enough to acquieſce therein, which perhaps might be aſhamed, by a new expreſs Law, barefaced and unmaſked, to give up the Liberties of their Country; and I do not ſee, but that this would be as good a Commencement for any new Prerogative, as the Power of Proroguing at firſt had. Let Gentlemen conſider what the ancient Laws of England were, in the Matter of Impriſonments, and what the Practice was for ſome Time before the Act of *Habeas Corpus*. I hope there is no Briton, ſo abandoned to the Notions of Slavery, as to affirm, that it ever was by the Laws of England, in the Power of the Prince to impriſon any of his Subjects during his Will and Pleaſure, and without any Reaſons aſſigned: They were to be impriſoned only, when legally charged with Crimes, and were either to be tried for the ſame, or releaſed from their Impriſonment, in a reaſonable Time; and as to this, the Act of *Habeas Corpus* was not introductive of a new Law, but declarative only of the old; this is ſo eſſential to the Being of a free People, that it muſt be agreed, that our Law was always thus; I am ſure, without it, our Condition would differ little from the Slavery of Turky; for the Bow-String itſelf, a ſpeedy Death, is Mercy, when compared to a lingering Confinement. And yet it is certain, that before the Act of *Habeas Corpus*, the good Subjects of England were ſometimes thus arbitrarily and illegally impriſoned, to gratify the Avarice, Ambition, Malice, or Revenge of evil Counſellors and wicked Miniſters; and the Advocates for Prerogative did as ſtrictly inſiſt on the Legality of this Power, as they did on any other, which was claimed by the Crown. I cannot indeed tell how long this Power of arbitrary Impriſoning had been exerciſed,

erciſed, but I am apt to believe it may vye for Antiquity, with the Power of Proroguing Parliaments.

'I muſt alſo put Gentlemen in mind of the Prerogatives claimed and exerciſed by King James II. to diſpenſe with the Laws, to command our Biſhops and Clergy to read in their Churches his illegal Proclamations, and to ſuſpend and impriſon them for diſobeying, with many others of the like Kind, which are recited by the Claim of Rights; and it is certain, that had we not been reſcued by the Revolution, all theſe and many more, had been good Prerogatives at this Day, and might have been all of them ſupported with as good Arguments, as any can be uſed for the Power of Proroguing in the Reign of Henry VIII. and ſome of them with as good, nay, with the very ſame Arguments as are uſed for the Legality of the Power at this very Time. I hope therefore we ſhall be very cautious of admitting ſuch Arguments, as tend naturally to ſupport all Extravagancies of Power whatſoever, and to let in upon us an Inundation of Oppreſſions.

'In the late Reigns, and in particular by the long pen-
tionary Parliaments in the Reign of Charles II. the Na-
tion became very ſenſible of the miſchievous Conſequences,
which had already happened, and the more fatal whic-
might ſtill reſult, from the dangerous Breach which ha-
been made in our ancient Conſtitution: It was now evide-
to the meaneſt Capacity, That a deſigning Prince, who,
with the Aſſiſtance of a wicked Miniſtry, ſhould be able,
after ſeveral Trials, at laſt to procure a Parliament to his
Purpoſe, would have the Liberties of his People entirely in
his Power, and might govern them at Pleaſure; from
which State of Slavery it was evident, that nothing leſs
than a Revolution could reſcue them; and if they failed in
that Experiment, that then their Chains would be riveted
for ever. Under this melancholy Proſpect of Affairs the
Nation groaned, and Complaints were heard in every Cor-
ner of our Streets; and even the very Penſioners in that Par-
liament were not arrived to ſuch a Pitch of Impiety, as to
take Pleaſure in the Drudgery they had engaged in, but
acted with Reluctancy and Remorſe, and as we have been
very lately told in this Place, betrayed the Cauſe they had
ſo wickedly eſpouſed, and frequently gave Notice to the
Friends of England, of the Attempts which were to be
made on the Liberties of their Country. This penſionary
Parliament was at laſt diſſolved, but on what Views, an
by what Advice, I will not pretend to ſay. Certain it
that that Prince never had it afterwards in his Power,
a parliamentary Way, to deſtroy the Liberties of the Peo
The Reſumption of Charters was then put in Practice,

many other Expedients, towards the Eſtabliſhment of an abſolute Monarchy, which had been long in View: But by the Death of that Prince, and the unſkilful Conduct of his next Succeſſor, an End was put to thoſe Deſigns for that Time, the People having unanimouſly applied the only Remedy in ſuch Caſes; and this brought about the late happy Revolution. Anno 1. Geo. I. 1715.

'I Have been often ſurprized, when I reflected how wanting we were to ourſelves upon that Turn, in not retrieving and ſecuring for ever, by the Claim of Rights, our ancient Conſtitution of frequent new Parliaments, which, in my poor Opinion, was much more valuable than all that we claimed beſides; but we obtained this in Part, by the Act paſſed in the 6th Year of the Reign of King William, and which the Bill before us is intended to repeal; for by that Act, we are to have new Parliaments, at leaſt once in three Years; and even this is ſuch a Security to the Britiſh Liberties, that all the Objections againſt triennial Elections are but very Trifles, when compared with that: Therefore I am not a little ſurprized, when I hear Gentlemen ſay, That the Triennial Act is a new Conſtitution, and that the Repeal intended thereof, will be but reſtoring the King in Part to his Prerogative, and ſetting the Conſtitution a little nearer to what it anciently was; ſurely there is nothing farther from the Truth of the Fact: The ancient Conſtitution was, at leaſt, annual new Parliaments, and this was broke in upon, and that Breach afterwards continued in the Manner which I have already ſet forth; and by this Act we have no new Privilege granted, but only reſtored in Part to thoſe which we always had a Right to. But were it in Reality a new Grant: Shall we give it up only to enlarge the Prerogatives of the Crown? May we not, in the ſame Way of reaſoning, give up the *Habeas Corpus* Act, and all the other Privileges and Immunities, which have been obtained to the People from the Crown, from the Date of *Magna Charta* to this very Day? This ſurely has not been the good old Way of reaſoning in this Place, and I preſume, it will meet with due Diſcouragement at this Time. I hope we ſhall, on this and all other Occaſions, acquit ourſelves like Britons, and not give up, in Complaiſance to any Miniſtry, the ſmalleſt, much leſs the greateſt and moſt valuable Privilege of thoſe we repreſent; and that we ſhall have the utmoſt Caution in making any Step, that may have the leaſt Tendency towards that Slavery, from which, at the Riſque of a Revolution, and the immenſe Expenſe of Blood and Treaſure, we have ſo lately reſcued ourſelves. I hope yet to live to ſee the Day, when our preſent gracious Soveriegn King George I, will have the Glory to compleat

Anno 2. Geo. I. 1716.

the entire reſtoring of our ancient Conſtitution, to which his Predeceſſor King William III, hath made ſuch a conſiderable Advance; and that inſtead of triennial, we ſhall have annual new Parliaments. Then indeed the Britiſh Liberties will be founded on a Rock, which the Machinations of the firſt Miniſtries will never be able to prevail againſt: and the Crown will be frequently and faithfully informed of the Sentiments of the People, and be thereby enabled to preſerve with them that Confidence and good Correſpondence, ſo abſolutely neceſſary for the Happineſs of both: To this I may add, that the Inconveniencies from triennial Elections, will thereby be much more effectually redreſſed and cured than ever they will be, by paſſing the Bill before us into a Law. Upon the whole therefore, I ſhall take Leave to affirm, That we have at preſent an undiſputable Right to triennial new Parliaments, and a very juſt Claim, for I know of no Law that has deprived us thereof, to annual Elections.

'But I have ſomething to urge, as to the Breach of our Truſt in the paſſing of this Law; it is agreed on all Sides, that whatever the ancient Conſtitution might be, yet we were choſen when the Law for triennial Parliaments was, as it ſtill is, in Force; and that we were, and could be choſen only for the Term of three Years, if his Majeſty ſhould think fit to continue us ſo long; therefore to continue ourſelves for a longer Term, would be a manifeſt deceiving of thoſe who choſe us, who expected, and could not but expect, at the End of three Years to have the Opportunity of a new Choice, and to alter where they found themſelves miſtaken. It would alſo be a very great Injuſtice to many thouſands of others, who have a Right to offer their Service to their Country, and who, for the Honour of the Nation, I am willing to hope, are in all Reſpects equally qualified for the Service with us, who have at preſent the Honour to fill thoſe Seats.

'If this Bill were to enlarge only the Continuance of future Parliaments, I ſhould give my Negative to it for the Reaſons I have already mentioned, and yet in that Caſe the Electors would have a fair Warning for what Time they were to chuſe, and thoſe elected, would be truly and properly the Repreſentatives of the People; which I conceive cannot be ſaid with Truth of the preſent Parliament, if they ſhould be continued beyond the three Years: This, to me, is an inſuperable Objection againſt this Part of the Bill; for if we may add four Years to our preſent Term, may we not add forty, may we not make ourſelves perpetual; or even extinguiſh Parliaments themſelves? Nay, what is it which we may not do, or after this Step, what is it

which

which the People of Great Britain may not apprehend that we will do? Can we do any Thing much worſe, than to ſubvert one of the three Eſtates of the Realm, and to ſubſtitute a new one in the Place thereof, and inſtead of a Houſe of Commons by the Choice of the People, as it always has been, and ever ought to be, to eſtabliſh a new Kind of Houſe of Commons, and 'till now unheard of, by Act of Parliament? Anno 2. Geo. I. 1716.

'The great Partiality which all Parties in their Turns have ſhewn in the Determination of Elections, has been too long the general Complaint, and one of the greateſt Blemiſhes on the Juſtice and Conduct of the Houſe of Commons; and 'tis certainly a crying Wickedneſs, and a moſt dangerous Practice; therefore I am willing to hope that we ſhall not, by giving our Conſent unto the Bill before us, out-do all that ever was done of this Kind by former Parliaments. They have choſen only thirty or forty Members for ſome particular Places, which is a trifling Peccadillo to what is now attempted, I mean the chuſing of five hundred fifty eight at once, for the whole Nation.

'It has been ſaid by ſome who have ſpoke in the Debate, 'That we are choſen with full Power to conſent to 'ſuch Laws as we ſhall judge for the Benefit of the Na'tion; that there are no Reſtrictions or Limitations in 'our Powers; and that therefore we may paſs ſuch new 'Laws, or repeal ſuch old ones, and the Triennial Act, 'as well as any other, as we ſhall think expedient; and 'that by a Repeal of the Triennial Act, we ſhall, after 'the three Years, ſtill continue to be the Repreſentatives of 'the People by Virtue of their former Choice, without 'any new Election for that Purpoſe.' This appears to me to be a plain begging of the Queſtion, and a very fallacious Way of reaſoning. I conſtitute a Perſon my Attorney, with very large and general Powers for the Term of three Years, and, no doubt, what he ſhall do purſuant to thoſe Powers, during that Term, ſhall bind me, but what he ſhall afterwards do is void; and it cannot be ſaid, that by the general Words of doing all Act and Acts in my Name, that he is enabled to add four Years more to the Continuance of his Power. I know there are great Diſparities between ſuch Powers, and thoſe given by the People to their Repreſentatives in Parliament: But yet I think, that to the Purpoſe that I intend it, the Parallel will hold. I will readily agree, that the Powers given by the People to their Repreſentatives are very large, but I can by no Means go the Length of ſome Gentlemen, to think them abſolutely unlimited, or that ſuch ill Uſe may not be made of this Power, as to amount to a Forfeiture thereof.

Anno 2. Geo. I. 1716.

'Our Hiſtories are full of Inſtances, and we have a very late one, that Kings themſelves may be guilty of ſuch an Abuſe of their Power, as to forfeit the ſame, and give the People a Right to a new Choice, and it will not, it cannot be ſaid, that the immediate Creatures of the People, who have no Pretence to Power, but by Delegation from them, are more abſolutely their Maſters, or more independent than the Crown itſelf: Pray conſider, whether we can be guilty of a greater Provocation to thoſe we repreſent, than to deprive them for any Time of being repreſented by their own Choice, and to change the ancient third Eſtate of the Nation, into a new invented one, unknown to former Ages; and whether they will think a little Sophiſtry, and a few Fineſſes of Arguments, a ſufficient Reparation for an Injury of ſo high a Nature.

'But I have a much ſtronger Objection againſt this Part of the Bill, and cannot help being yet of Opinion, That if it ſhould go through all the Forms of an Act of Parliament, paſs both Houſes, and have the Royal Aſſent, that it will ſtill remain a dead Letter, and not obtain the Force of a Law; for I am warranted by one of our greateſt Lawyers to affirm, 'That an Act of Parliament may be void in it-'ſelf;' and if there are any Caſes out of the Reach of the Legiſlature, this now before us muſt be admitted to be one; what can be more againſt common Senſe and Reaſon, than to be a *Felo de ſe*, to deſtroy that Conſtitution, or any eſſential Part thereof, upon which our Exiſtence in our political Capacity depends. I am alſo ſupported in this by the Authority of learned Divines; I ſhall mention but one, and I ſpeak it for his Honour, the preſent Biſhop of Bangor, who has unanſwerably made it evident, 'That all People 'have natural Rights, and that a free People have legal 'ones, which they may juſtly maintain, and which no le-'giſlative Authority whatſoever can deprive them of.' And can a free People have a more valuable Right, than that of being fairly and frequently repreſented in Parliament, by Perſons of their own chooſing? This ſurely is a Right as valuable as Liberty itſelf, being abſolutely neceſſary to the Subſiſtance and Continuance thereof.

'For the Sake of thoſe Gentlemen who ſeem ſo very fond of the unlimited Power of Parliaments, and by which only they can ſupport the Validity of ſuch a Law, as the Bill before us is intended to introduce, I ſhall mention ſome Caſes, to which they themſelves will agree, that this unlimited Power doth not, cannot extend. As for Inſtance, Suppoſe, inſtead of the Bill before us, we ſhould paſs a Law, as was done in the Reign of Richard II. the worſt Prince that ever ſat upon the Engliſh Throne, That the Power of both Houſes

Houſes ſhould be veſted in twelve great Lords! or, as was done in the Reign of Henry VIII. the firſt Proroguer of Parliaments, That the King's Proclamation, with the Conſent of the Privy-Council, ſhould have the Force of Law: Or, as in 1641, That the Parliament ſhould not be diſſolved or prorogued without their own Conſents: Such Laws as theſe, through Oppreſſion and Violence, have been for ſome Time ſubmitted to; but ſurely no Gentleman will ſay, that they ever were, or ſhould they be now re-enacted, that they would be legally in force; for if ſo, the Parliament of 1641, is ſtill in being, for I never heard that they gave their Conſents to their own Diſſolution. Anno 2. Geo. I. 1716.

'I will ſuppoſe one Caſe more, which has never happened, and God forbid it ever ſhould! That an Act of Parliament ſhould paſs to veſt the whole legiſlative Authority in the ſingle Perſon of the Prince, to cloath him with an abſolute dictatorial Power, to extinguiſh for the future both Houſes of Parliament, and all other Rights and Privileges of the People, and to put all Things hereafter intirely into the Power, and to be diſpoſed of at the Will and Pleaſure of the Prince. I am ſure no true Briton will ever ſay, that ſuch an Act of Parliament as this would have the leaſt Validity of Force, or be any wiſe binding on the People: I am ſure it would not, but inſtead thereof would, in due Time expoſe the Authors of it to the Vengeance of an injured Nation; which I think is a full Proof of what I have affirmed, That the Powers given by the People to their Repreſentatives, are not abſolutely unlimited; nor the Power of the Parliament itſelf ſo omnipotent, as ſome are willing to ſuppoſe it: I therefore hope no one will endeavour to ſupport this Bill by ſuch Arguments as will equally ſupport the Caſes I have mentioned, and lead us into the moſt dangerous and unwarranted Paths; and on this Occaſion I ſhall take leave to put Gentlemen in Mind, that France, Denmark, and Sweden were formerly free Nations; and what their preſent Situation is, and how they have been reduced thereto, is too well known to need to be repeated.

'I have been often much ſurprized at the Boldneſs of the Roman Clergy, in introducing the Doctrine of Tranſubſtantiation; how they could have hoped to prevail with their good Subjects the Laity, to believe ſo monſt'rous an Abſurdity, and did not rather dread that it would ſtagger their Obedience, and occaſion a general Revolt. But our Hiſtories inform us, That this was done in an Age of the groſſeſt Ignorance, and of the greateſt Corruption of Manners: A proper Seaſon for ſuch an Undertaking! Accordingly the Popiſh Clergy laid hold thereof, well knowing, that if they ſucceeded in this, their Empire was ſecured, and implicit Faith,

Anno 2. Geo. I. 1716.

Faith, without Reſerve, would be thereby for ever eſtabliſhed; it being evident, That if this prodigious Camel was once ſwallowed down, it was impoſſible afterwards that any Thing could ſtick. I cannot ſuppoſe, nay, it were monſtrous to ſuppoſe, that our preſent virtuous and uncorrupt Miniſtry, can, by the paſſing of this Bill, have any Deſign in View parallel to that of the Romiſh Clergy, to plain thereby the Way to ſome other Laws, which may be thought neceſſary to the full Eſtabliſhment of their Power. No certainly; they are too well ſatisfied of the Uprightneſs of their Conduct, to ſtand in need of any indirect Supports, and too penetrating, to think they could obtain them in a Parliament, where the Majority are ſo entirely independent of them, and who, in the preſent and former Parliaments, have approved themſelves Champions for the Liberties of their Country: Beſides, the preſent is ſo far from being an Age of the groſſeſt Ignorance, that never was Learning at ſo high a Pitch, nor Men arrived to ſo noble a Way of Free-Thinking, that our Motto may juſtly be, *Nolumus jurare in verba Magiſtri:* We ſcorn the muſty Sayings of Antiquity, and will in nothing be pinn'd down by the Dictates of the Learned of this or of any other Age; therefore 'tis impoſſible to ſuppoſe any ſuch Deſign in the Bill before us, and yet I am very ſorry it hath been attempted, and hope it will never paſs, for the Reaſons I have already mentioned; and alſo, leſt it ſhould give too great a Handle to People without Doors, to entertain untoward Jealouſies and Surmiſes, who may be apt to ſay, That thoſe who can compliment a Miniſtry with ſuch a Law, can never afterwards refuſe them any Thing.

'I ſhall, on this Occaſion, put Gentlemen in Mind of the great Debt with which the Nation is incumbered; a Burthen which is almoſt become inſupportable, and ready to cruſh us into Ruin; and yet, to our great Misfortune, inſtead of diminiſhing, it is daily increaſing. I have long obſerved the fatal Methods by which this Miſchief was brought upon us: I was indeed in great Hopes, that the putting an eternal Stop to the farther Increaſe of our Debt, and the ſettling the moſt proper Meaſures for the leſſening thereof, in ſuch Proportions as in a reaſonable Time might entirely diſcharge the ſame, would have been the very firſt Work of the preſent Parliament, as it was the moſt valuable for the Intereſt of the Nation; but I'm ſorry to ſee it has hitherto given Way to ſo many other Conſiderations, which, how important ſoever they may be thought, I will be bold to ſay, when compared to this, are but like the *tything* of *Mint* and *Cummin*, to the *weightier Things of the Law*. Surely ſomething muſt, and very ſoon too, be done in this Matter;

Matter; for I am perſuaded no Man can be ſo wicked, as to entertain a Thought of declaring the Nation Bankrupt, and paying off this Debt with a Spunge, to the utter Ruin of Thouſands of Families; and as little can I ſuppoſe any Man ſo ſtupid as to ſleep ſecurely, whilſt the Liberties of his Country, and thereby his own, and the Property of every ſingle Perſon in the Nation, is in the moſt precarious Situation; for, ſhould we, loaded as we are, be engaged in a new War with any powerful Enemy, muſt we not either ſubmit to all the unreaſonable Impoſitions of ſuch an Enemy, or find ſome extraordinary Means to ſupport ſuch an expenſive War? Will it not therefore be our Wiſdom to put our Affairs, as ſoon as poſſible, on ſuch a Foot, as to make the Second Part of the Dilemma practicable, without referring to ſo black an Injuſtice as that I have hinted at, either of ſpunging out all our paſt Debts, or at leaſt of borrowing the Funds for the Uſe of the Publick, during the Continuance of ſuch a War? This ſurely is a Subject of ſuch Importance, that it will juſtify the Speaking of it, either ſeaſonably or not; nay, I think it never ought to be out of our Minds, till ſomething very effectual be done therein; but I mention it chiefly at this Time, to divert Gentlemen from paſſing the Bill before us, and continuing the preſent Parliament beyond the Term of three Years; leſt what ſhall be afterwards done in ſo great and ſo good a Work by this Parliament, if continued, may be liable to Objection, from the Doubts which the Nation may have of the Legality of ſuch a Parliament; and for the ſame Purpoſe I ſhall obſerve, that we ſeem pinnioned down for a long Tract of Years, and indeed for ever, in the Methods we proceed in, to a Land-Tax of two Shillings in the Pound, and to the Malt, to ſupport ſuch a Fleet, and ſuch Guards and Garriſons, as in the profoundeſt Peace, I preſume, will be always eſteemed neceſſary. The ancient Revenues of the Crown, applicable to theſe Purpoſes, have long ſince been mortgaged and ſold away, and if our preſent unhappy Diviſions, ſhould for ſome Time require a greater Force, for the Quiet and Security of the Nation, even in Times of Peace, 'tis eaſy to compute how much higher the aforeſaid Taxes will riſe.

Anno 2. Geo. I. 1716.

' Let Gentlemen ſeriouſly conſider, whether it will not greatly increaſe the Uneaſineſs of the People, under ſuch heavy Burthens, if they think they are laid upon them by Repreſentatives whom they never choſe. For my own Part, I dread the Conſequence of ſuch a Law, as that which we are now about, and doubt it cannot be long ſupported in any other Manner, than thoſe extraordinary Laws were for ſome Time, which I have already mentioned; and I am perſuaded, 'tis far from the Deſign of any in this Houſe, that this

Laws,

Anno 2. Geo. I. 1716.

Law, if it paſs, ſhould be ſupported in that Way; and to make a Standing Army neceſſary only to ſupport a Standing Parliament; for to me they ſeem to be Siſter Twins, which can only live, and muſt die together.

'I have now given my ſeveral Reaſons againſt this Bill, which appear to me ſo ſtrong, as would engage my Negative to it, were it even in ſome Meaſure conducive to the Ends which are pretended; but much more when I am thoroughly convinced, that it is ſo far from promoting thoſe Ends, that if ever it paſs into a Law it will have a Tendency directly contrary.

'It has been ſaid, 'That three Years is too ſhort a 'Time to effect any Thing of great Moment for the Service 'and Benefit of the Nation: That the Firſt Seſſions is gene-'rally ſpent and waſted away in the Determination of Elec-'tions; in the Second ſomething is done; but that the laſt 'Seſſions is uſually as much loſt as the firſt, Gentlemens 'Minds running ſo much on the enſuing Election, as to think 'of nothing elſe; and the Fear alſo of diſobliging their Elec-'tors, on ſo near a View of a new Choice, becomes a very 'great Byaſs to their Conduct in Parliament, to the Preju-'dice of the Publick Service; ſo that in this ſhort Term 'of Three Years, there is little more than the Work of 'one Year done.'

'I am not a little ſurprized, that ſuch Aſſertions as theſe ſhould be made uſe of as Arguments againſt Triennial Parliaments; becauſe it ſeems to me to be *proteſtatio contra factum*, as was ſaid by a very great Man of Dr Sacheverel's Speech. It is evident, that the Buſineſs of the Publick was carried on for ſome Hundreds of Years by annual Parliaments only, and our Hiſtories for that Time do not acquaint us with any Complaints made of the Shortneſs of their Duration: And is it not moſt notorious, that there never were ſuch great Things done by any Parliament, as by thoſe which have been holden ſince the Triennial Act? Was ever a War ſo long and ſo ſucceſsfully carried on before, and in which this Nation bore ſo great a Proportion of Expence? Were ever Sums ſo amazingly great, given by any Parliament or Parliaments before, in the like Compaſs of Time, as has been done by theſe Triennial Parliaments? I affirm, there has been more given by them for the Supply of a ſingle Year, than was given in the whole Reign of any of the Predeceſſors of the late King William III. and that the Expence of the Publick Service, ſince the Revolution, has amounted to more than it did from the firſt Foundation of the Engliſh Monarchy down to that Time; and I will venture to add, 'that they were ſuch Supplies, as could have been raiſed only by Parliaments of a ſhort Continuance; for

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'tis not ſuppoſable, that the Nation would have remained quiet under ſuch heavy Taxes, had the ſame been impoſed by a long Penſionary Parliament, ſuch as that of King Charles II. but, when they were convinced of the abſolute Neceſſity of ſuch Supplies, from the concurring Sentiments of frequent new Parliaments, they were by this, and, by this Method only, could have been diſpoſed to the chearful Payment of the ſame; when this is ſeriouſly conſider'd, I am perſuaded that no Gentleman will ſay, That Triennial Parliaments are incapable of doing great Things, when it is true beyond the Poſſibility of Contradiction, that they have actually done much greater Things than were ever done by Parliaments before: Let us but compute what was done by the long penſionary Parliament of King Charles II. and what has been done in a like Number of Years by Triennial Parliaments, and then the Preference will be eaſily determined: And ſurely Arguments from Matters of Fact and long Experience, ought to be of much greater Weight than thoſe, which depend only on conjectural and ill grounded Surmiſes, and a fanciful Way of Reaſoning. Anno 2. Geo. I. 1716.

'I will agree that much Time is ſpent, not only in the firſt but in the ſecond Year, in the Determination of Elections; but if theſe were all, without Diſtinction, left to the Committee appointed for that, it would not make ſo great a Part of the Buſineſs of the Houſe, as it has of late Years done: And if the Right of Election for the ſeveral Cities and Boroughs were unalterably fixed, and not changed from Time to Time, with reſpect to the Petitioners and ſitting Members, the Work, even of the Committee, would be greatly leſſened: And I muſt ſay, That whenever Gentlemen are in Earneſt diſpoſed to cure this Evil, it may be done to the Honour and Reputation of future Parliaments, and to the ſaving Nine Parts in Ten of that Time, which has of late Years been conſumed in the Buſineſs of Elections; and therefore, ſurely this Inconvenience can be no Objection againſt Triennial Parliaments, which is not owing to that, but to very different Cauſes; and which cannot poſſibly be cured by the Repeal of the *Triennial Act*; but may be done, if not entirely, yet in a great Meaſure, by proper Proviſions for that Purpoſe.

'As to the Inconveniencies ſuggeſted to the Third Seſſions of Parliament, from the near Approach of a new Choice; it will be much the ſame againſt the Second Seſſions, in which ſomething of Buſineſs is admitted to be done; for I ſee but little Difference between the Influence which the Proſpect of a new Choice will have at the End of one, or at the End of two Years. The Objection therefore, as to this Purpoſe, is altogether trifling; but I will agree, that it has its Weight,

Anno 2. Geo. 1. 1716.

if it be urged for the long Continuance; and greater ſtill, if it be urged for the Perpetuating the preſent Parliament; for then indeed Gentlemen would be freed from all Anxiety about a future Election, and would be under no Reſtraint, nor have any Byaſs on their Minds from the Sentiments of thoſe who choſe them; but ſurely it ought not to be thus, nor is this a Compliment fit to be made to the Electors of Great Britain, and is far from being a ſuitable Return for the Honour they have done us; and 'tis monſtrous to ſuppoſe, that we ſhould render ourſelves diſagreeable to the People, by a faithful Diſcharge of our Duty, and doing that which is beſt for the Intereſt of the Nation.

'Surely we ourſelves, in the firſt Part of this our Firſt Seſſions, notwithſtanding all the Time ſpent in the Determination of Elections, have been able to find Time to give all the neceſſary Supplies for the Service of the Nation; but perhaps we have made ſome Diſcoveries in this Age unknown to former ones; we have a Glimpſe of ſome Light unſcribed before, yet it will ſtill be true, that this Light has ſprung up but very lately among us. And although this Conſideration cannot weaken the real Strength of the Argument, yet it lays it under the Imputation of Novelty, and will be a full Juſtification of the Integrity, if not of the Sagacity, of thoſe who ſhall perſevere in their Oppoſition to the Bill.

'As to the Failure in the Triennial Act, of anſwering the Expectations of the Nation, it has been only aſſerted in general Terms, and I cannot eaſily gueſs at what is particularly meant; for it has certainly anſwered all the Ends which, from the Preamble of the Act, we can apprehend to have been expected by the Makers thereof, or which indeed, in the Nature of the Thing, could have been expected from it; for ſurely the Grievance which had been felt of a very long Parliament, is thereby redreſſed, and the Conſtitution of frequent new Parliaments, in part, retrieved and brought nearer to what it anciently and originally was.

'As to the Increaſe of Bribery and Corruption in Elections, ſince the Triennial Act, it is impoſſible it can be owing to that Law, or that it would be any wiſe diminiſhed by a Repeal thereof; and in Fact, the Increaſe of Bribery and Corruption in Elections may have happened ſince that Law, and yet be no wiſe a Conſequence thereof: 'tis contrary to common Senſe to imagine, that thoſe who would purchaſe their Seats in Parliament, would give more for a Triennial than for a Septennial One, or for a Continuance during Life; or that ſuch Electors, who will ſell their Voices, have not Arithmetick enough to proportion their Prices, to the Time they chooſe their Repreſentatives for; therefore this Objec-

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tion againſt the Triennial Act is certainly very frivolous, unleſs ſomething much farther be intended, than I believe any Briton has yet the Courage to ſpeak out, I mean, unleſs it be intended, before the Expiration of the ſeven Years to add a farther Term by another Act, and ſo on: Then indeed there is an effectual Stop put to all future Bribery and Corruption in Elections, and the laſt Election which the People had, was to be the laſt they ever were to have. Anno 2. Geo. I. 1716.

'This brings to my Mind a very ſcandalous Pamphlet, which came out a little before the Election of the preſent Parliament. I think the Title of it is, *Engliſh Advice to the Freeholders of England:* This Author takes great Pains to divert the People of England from chooſing a certain Party of Men, whom he unjuſtly paints in very black Colours; and, amongſt others, there is an Expreſſion to this Effect: 'Don't give your Vote for one of theſe People, whatever 'they may offer you, for depend upon it, if there ſhould be 'a Majority of them in Parliament, it is the laſt Vote you 'will ever have the Opportunity to give.' I am perſuaded, 'tis far from the Intentions of any Gentleman here, to contribute to the Credit and Reputation of that Author, by giving even a Colour of Probability to the Truth of any of his Predictions; and this I hope will alſo have ſome Weight to prevent a Repeal of the Triennial Act; ſince that will have the Air of the firſt bold Step towards the fulfilling of this wicked Prophecy; and the making uſe of the Argument I have been endeavouring to explode, will not a little heighten the Suſpicion; it being evidently of no Force, in any other View, but that of carrying the Matter to the Length which this Author has foretold. But ſurely Gentlemen need not thus hunt about, either for the Cauſe or the Cure of Bribery and Corruption in Elections.

'On the late happy Revolution, by which our Religion and Liberties were preſerved, we were unavoidably engaged in a very expenſive War; and had it been carried on by Supplies within the Year, as it is evident it might have been, our War and our Taxes would have ended together; and we ſhould have been then able, when juſtly provoked thereto, to begin the ſecond War, as we were to undertake a firſt. But, unhappily for England, this Method was not purſued, but inſtead thereof the Nation was by Piecemeal expoſed to Sale; and execrable ſurely will their Names be to lateſt Poſterity, who at firſt began or have been ſince, the chief Supporters of this accurſed Practice, by which one third Part at leaſt of the great Sums given, have been loſt to the Service of the Nation, which now remains loaded with a Debt of fifty Millions; beſides, at leaſt the Sum of ſeventy Millions, which has been actually raiſed and

Anno 2. Geo. I. 1716.

ſeems to me to be calculated for the direct contrary Purpoſes, to blow up the Flame, and to fill up the Meaſure of the Nation's Diſcontents; for it is impoſſible to conceive that the Electors of Great Britain, of whatever Party or Denomination they may be, will not be highly incenſed by ſuch a Law as this; and if they ſhould univerſally reſent their Reſentments againſt thoſe, who without their Conſent have made themſelves the Repreſentatives of the People. I leave Gentlemen to judge, whether this would not be an Animoſity of a much more dangerous Conſequence, than that which we are pretending to extinguiſh by this Bill.

'It is alſo urged, That theſe frequent Elections are a great Encouragement to the Idleneſs and Debauchery of the meaneſt and loweſt of the People; Opportunities only to gratify the Drunkenneſs and Lewdneſs of the Mob. I am ſorry that there are any Exceſſes, to give Foundation for this Complaint; but ſurely the Evil proceeds from the ſame Cauſe, and muſt be cured in the ſame Way with thoſe others which I have already taken Notice of, as have been objected to the Triennial Act. And I mention this now, only to obſerve, what pretty Epithets are given to the Electors of Great Britain. It was with Concern that I heard them lately treated in this Manner in another Place, but could never have believed it poſſible to have heard any Thing like it hinted within theſe Walls. How low and mean ſoever they may be, they are ſtill the People of Great Britain, and we are one of the Three Eſtates of the Realm by a Power derived and delegated from them. And are we then only the Repreſentatives of a lewd, drunken, debauched Mob? To paint out the Commons of Great Britain, in ſuch contemptible Colours, is ſurely doing great Diſhonour to ourſelves, and is equally ungrateful and unjuſt to them. I think we repreſent all the Commons of Great Britain, and ſurely amongſt them there are many thouſands every Way as well qualified to fill theſe Seats, as we who have now the Honour to do it: And even as to thoſe of an inferior Rank, it muſt be owned, that they are a brave and a gallant People; and when we compare them with thoſe of other Countries, we have Reaſon to be in Raptures with our own happy Conſtitution, which has made ſuch a Difference between them and other Men: They are bred up from their Cradles with deep Impreſſions of Liberty, and have their Properties fenced in and ſecured by Law; and by their Repreſentatives in Parliament, they have the Honour to ſhare, even in the legiſlative Authority; and 'tis this gives our People the Spirit and Reſolution of the ancient Romans, by which our Nation has obtained and preſerved its great Character in the World.

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Anno 2. Geo. I. 1716.

'It is thus we ought to deſcribe the People of Great Britain, and we ſhall then only do them the Juſtice they deſerve: But if, on the Contrary, we ſhew an Inclination to depreciate their Value, and ſeem to be aſhamed of thoſe we repreſent, will it not, eſpecially if we paſs the Bill now before us, give the ſtrongeſt Jealouſy, that we intend to repreſent them no more, but to ſet up for the future, a Third Eſtate entirely independent of them. And this Jealouſy will be ſtill encreaſed, by what has been with too great Freedom diſcourſed of without Doors, That People muſt be governed by their Fears, and ſurely ſo they muſt, if this Bill paſs; for I think it will be ſcarce poſſible afterwards to govern them by Love. Unhappy Britain! to have brought forth Children ſo unnatural, as to treat thee thus: For whatever may have been put in Practice in former Times, the Doctrine of Slavery was never ſo openly avowed before: What, govern a free People by their Fears! monſt'rous Expreſſion! and certainly a formed Deſign correſponding thereto, is an Act of Treachery, as foul and black as a Briton can be guilty of: An high Crime and Miſdemeanor it certainly is; I will not call it high Treaſon, becauſe I know no Law of the Land which has yet declared it ſo.

'The Argument which I ſhall next take Notice of, is that which ſeems to me to be mentioned as the chief Inducement in the Preamble of the Bill, and which has been chiefly inſiſted upon by the Gentlemen who have ſpoken for it; 'Becauſe of the Danger from the general 'Diſcontents, and great Diſaffection of the People, which 'ſome Gentlemen are apprehenſive, were a Parliament now 'to be called, would produce a Majority of very different 'Sentiments from thoſe who now compoſe it: Others, 'who think better of the Inclinations of the People, be'lieve, that this wicked Work could not be accompliſhed 'without the Help of foreign Money, to bribe and corrupt 'the Electors of Great Britain; but upon the whole, are 'of Opinion, that the Thing would be effected, and that 'inſtead of the preſent excellent Houſe of Commons, ſo 'devoted to the true Intereſt of their Country, and to the 'Support of his Majeſty, and the Proteſtant Succeſſion, we 'ſhould greatly riſque the having ſuch a Parliament as 'would be ready to call in the Pretender, and to deliver 'up their Country to Popery and arbitrary Power; and 'therefore thoſe who are againſt the Bill, are charged with 'contributing to this Deſign, although they are charitably 'believed no wiſe to intend the Thing.' And this I think is the full Import of what has been ſaid by Gentlemen on this Head of the Argument.

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Anno 2. Geo. I. 1716.

' As to the Danger which ſome Gentlemen imagine of ill Parliament, were it now to be choſen, from the Help French Money, it is, in my Opinion, a Reproach to the ſent Miniſtry, to fancy that they would be out-done, or witted by France in this, or in any other Way; and I th that the defeating of ſuch an Attempt, in the only Caſe which a Miniſtry might unblameably apply the publick M ney, in the Buſineſs of Election: I wiſh it never had be or may be done on any other Occaſion. But why do G tlemen believe, that the Regent of France will meddle our Elections? Surely not long ſince, he had a much be Opportunity to have diſtreſſed us, had he been ſo diſpo On other Occaſions we hear, I mean without Doors, of t good Underſtanding between his Majeſty and that Prin that the Pretender will very ſoon be obliged to travel beyo the Alps; and this certainly is highly probable, if the Re gent have any Expectations of being himſelf one Day Kin of France. I ſhall ſay no more of this, and believe, tha who made the Objection, ſcarce expected that any one would have taken ſo much Notice of it.

' As to the Danger of an ill Parliament, from the gre Diſaffection of the People; this, I confeſs, is a moſt extra ordinary and ſurprizing Argument, and ſuch as I never thought I ſhould have heard in this Place: For it is an open Declaration and Acknowledgement, that the People of Great Britain are not truly repreſented at this Time: that the pre ſent Houſe of Commons are the Supporters of the Liberties and true Intereſt of the People, which the People themſelves are endeavouring to deſtroy, and would effectually do ſo by a new Choice; and therefore they are to be treated like indiſcreet Children, and not to have their Frowardneſs humoured at the Price of their undoing. This indeed is telling the People of Great Britain, in the plaineſt Terms, That as they are not at preſent truly repreſented by thoſe whom they did chooſe, ſo for the future, they ſhall be repreſented without any Choice at all. If this be the Way to ingratiate with the People, what is it which can give them a Diſguſt? No, certainly this muſt make it abſolutely neceſſary to govern them by their Fears, and to take ſuch Meaſures as are proper for that Purpoſe; a Deſign ſo black, that I cannot ſuppoſe it has yet entered into the Heart of any Briton.

' It is amazing to hear this very Suggeſtion, in my Opinion far diſtant from the Truth, not only on the preſent, but on other Occaſions, ſo frequently made uſe of as an Argument; for were it really true, can it be any Service to the Publick to be making daily and hourly Proclamation thereof? For can this be a proper and a likely Means to ſtrengt

Anno 2. Geo. I. 1716.

in the Hands of his Majeſty, and his faithful Subjects, or to weaken thoſe of the Pretender, and his foreign and domeſtick Friends, to publiſh to all the World, (for what is ſaid in this Place can be a Secret no where) that the Diſaffection to his Majeſty is very general, and the Party of the Pretender ſo conſiderable in the Nation, as to riſque another Rebellion in his Favour, if they had the Opportunity of aſſembling together in Numbers on a new Election, or any other Opportunity equally propitious to their Purpoſe; and if this did not happen, that ſtill there would be Danger, that the Majority on a new Election, would be in the Intereſt of the Pretender; and that this would not be leſs, perhaps might be more fatal, even than a Rebellion. A Bill founded on ſuch Surmiſes as theſe, and ſupported with ſuch Arguments, is highly dangerous, and if it paſſes into a Law, its Title ought to be, An Act *For the moſt effectual Encouragement of the Pretender and his Allies, to invade this Kingdom*; in my Conſcience I believe it ſo, and ſo it will be found if this Bill ſhould paſs into a Law.

'I believe it will be admitted, that from the firſt Eſtabliſhment of the Succeſſion, until it happily took Place, a vaſt Majority of People expreſſed the greateſt Zeal for it, and Satisfaction in it; that from the Death of the Queen to the Arrival of his Majeſty, the Nation was never known to be in a greater Calm. That the Parliament then in being, unanimouſly ſettled the Civil Liſt for the Support of the Dignity of the Crown, and compleated what was wanting for the Supplies of the Year; and whatever Faults they might have been guilty of before, there was nothing now wanting in the expreſſing of their Duty; and it has been ſurmiſed, that ſome Perſons whoſe Zeal for his Majeſty cannot be ſuſpected, were not a little apprehenſive, That that Parliament, and the Party of which their Majority was compoſed, would, to make amends for their paſt Conduct, go too great Lengths in their Complaiſance to the Crown; and that for this very Reaſon, it was dangerous for the Nation that his Majeſty ſhould ever meet them; but whatever the Reaſons were, certain it is that his Majeſty ſaw them not. The Joy on his Majeſty's Arrival was as great and univerſal, as was ever known in Britain; and from hence I think I may fairly conclude, that if there be ſuch a Diſaffection as is ſuggeſted, ſince it was not before, it muſt have happened ſince his Majeſty's Arrival; and if this can be imagined poſſible, it muſt be then agreed, that ſuch a general Diſaffection is an Effect too conſiderable to be produced without any, or by a very ſlight Cauſe; his Majeſty ſurely can be no wiſe the Cauſe of ſo ſurprizing a Change, as is ſurmiſed, in the Inclination of his People; therefore,

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if there be ſuch a Diſaffection, it can be only to the Miniſters, and produced from ſomething really ill, or which is apprehended to be ſo, in their Conduct. I am perſuaded, that they themſelves have too much Modeſty, not to agree, that 'tis much more reaſonable to ſuppoſe a Diſaffection to them, than to the Perſon of the King; and I doubt not but this Houſe will always diſtinguiſh, as they have hitherto done, between the Sovereign and the Miniſters of State.

'But, in Juſtice to the preſent Miniſtry, we muſt conclude, that the Diſaffection to them is occaſioned only by imaginary, and not by any real Evils done by them; and we have great Reaſon to hope, that by their wiſe and prudent Management, they will be able in a very little Time, to undeceive a miſtaken and deluded People, and thereby regain thoſe Affections, which, for the preſent, they apprehend to be loſt to them. And if they ſhould fail in this, I am perſuaded, from their great Zeal for the Quiet of the King, and Welfare of their Country, from their known Diſintereſtedneſs, their generous Contempt of Advantages to themſelves, and from that ancient heroick Roman Virtue, which ſo viſibly appears in every Part of their Conduct, that they themſelves would become ſuppliant to his Majeſty, for Liberty to retire from the Burthen of their Truſt, and to repoſe the ſame in ſuch Hands, as might put an End to the Diſaffections which are now complained of. And I am the more confirmed in this Opinion, becauſe I myſelf have heard ſome of the greateſt Men now in Power, before they were ſo, expreſs themſelves in ſuch a Manner, as left me no room to doubt of the Sincerity of ſuch a Diſpoſition.

'There is yet one Part of the Objection which I have not touched upon, the Danger which is apprehended of an Invaſion from Abroad, and the Inſurrection at Home, ſhould a new Parliament be called at this Time, and this, I think, is the only Thing which I have heard mentioned, which has the Colour of an Argument for a longer Continuance of the preſent Parliament; but I believe, when it is a little examined, it will appear to have the Colour only, and to be *vox & præterea nihil.* I think I have already made it evident, that there is no ſuch Diſaffection to his Majeſty, or his Royal Family, as is ſuggeſted, and if there be not, then the Danger of any Invaſion or Inſurrection on that Suppoſition, falls entirely to the Ground. But even admitting the Diſaffection to be as it is ſuggeſted, 'tis ſtill agreed, that the whole Nation is not diſaffected, but only ſome Part thereof; and that therefore the Meeting together, on the Occaſion of Elections, which are not made all on the ſame Day, would conſiſt of mixt Multitudes of well and of ill-affected Perſons, ſo that the former might balance the latter.

'But

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But admitting that not only the Diſaffection is, but that the Calling of a new Parliament at this Time, would be, as the ſame have been repreſented, yet this will not prove that there's any Neceſſity at this Time for the paſſing the Bill, which is the Subject of our preſent Debate. I do moſt readily agree, that if this Parliament were to expire in a very ſhort Time, and that the publick Meeting of the People would really be of ſuch a dangerous Conſequence in the preſent Juncture, as has been mentioned; that then abſolute Neceſſity, which always has been, and ever will be, a Juſtification of extraordinary Steps, would equally juſtify the Prolongation for a Time of the preſent Parliament, in the Manner now propoſed; and no doubt but that the next ſucceeding Parliament, convened in the uſual legal Manner, would approve and confirm what ſhould be done in this, on ſo preſſing an Occaſion. But ſurely it will no wiſe follow, becauſe this might be done in a Caſe of abſolute Neceſſity, that therefore it may or ought to be done, when there is no Neceſſity at all. And it is evident, that there is no immediate Neceſſity for the paſſing of this Law, ſince, notwithſtanding the Length of the firſt, his Majeſty may ſtill have two Seſſions more of this very Parliament; and will it not be time enough to paſs ſuch a Law in the laſt Seſſion, if it ſhould then appear as neceſſary as it is now pretended to be? And therefore admitting every Thing which has been alledged, there is not the Colour of a Neceſſity for ſuch a Law at preſent; and this gives me ſtrong Suſpicion, that there is a Snake in the Graſs, and that we have not yet been acquainted with the true Reaſon of ſo unprecedented an Attempt. Certainly no Gentleman can be afraid of what every Gentleman muſt wiſh, that before the End of another Year, our Ferment will ſubſide, and the Nation be reſtored to a perfect Calm, which would entirely take away all Pretences of doing what is now endeavoured: Or, that the unanimous Voice of the Electors of Great Britain, againſt ſuch a Law, would, before another Seſſion, be found too ſtrong to be reſiſted by their Repreſentatives, and that Gentlemen, upon a more mature Conſideration, might come to think very differently of this Matter from what they at preſent may; and that therefore this great Maſter-piece muſt be ſtruck off at one Heat, and that *now or never* muſt be the Word: Or may not others without Doors be apt to ſuſpect, that this Law is really intended to encourage the Pretender to invade, and his ſecret Friends to ſhew themſelves in publick, by ſoothing them up in the Hopes and Belief of the Greatneſs of their Numbers; and by leading them into that Snare, have an Opportunity of diſcovering and cruſhing them as thoroughly in England, as we have lately done

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in Scotland; and thereby ſecure for ever the Peace and Tranquility of the whole Kingdom? For it is impoſſible to imagine, that ſuch Encouragement would be given to the Pretender or his Friends, as ſeems to be done by the Preamble of this Bill, and the Debate of this Day, if thoſe who were for the Bill were not entirely ſatisfied, that a new Rebellion, if it ſhould happen, would be attended only with the Conſequences I have juſt now mentioned. How right a Deſign of this Kind may be in Politicks, I will not pretend to determine, but will venture to affirm, that it is entirely inconſiſtent with the Chriſtian Religion, and the Principles of Humanity, common to all Mankind.

'But beſides, I think an Experiment of this Kind much too dangerous to be tried; for when the Fire is once kindled, no human Wiſdom can tell how much it may conſume. And although we have happily ſuppreſſed the late unnatural Rebellion, yet I am perſuaded, no wiſe Man can wiſh, to ſerve any End whatever, to ſee the Nation expoſed again to the Riſque of ſuch another Attempt, although it ſhould be as ill concerted at Home, and as little ſupported from Abroad, as the laſt ſeems to have been. Such Motives as theſe, therefore, can ſurely prevail with no Body, and yet I am not able to gueſs at thoſe which ſhould: And where no viſible Reaſon does appear, for ſo violent and needleſs a Precipitation, there muſt, and will be great Variety of Conjectures at thoſe which are not ſeen.

'Another Argument ſeems to have great Weight with Gentlemen for the paſſing of this Bill; 'That it will encourage foreign Princes and States to enter into Alliances 'with us, when they ſee a certain fixed Adminiſtration, 'on which they may depend; for that at preſent they look 'upon us to be in the Nature of a Triennial Government, a 'new Parliament being uſually attended with a new Miniſtry, and a new Miniſtry with new Meaſures.'

'I believe that this is the firſt, and I hope it will be the laſt Time that ever an Argument of ſuch a Nature was advanced, or would have been endured in an Engliſh or Britiſh Parliament. We have hitherto been able to form great Alliances, and to do great Things, on the Foot of our ancient Conſtitution; and are we now ſunk to a Condition ſo deſpicable low, as to be obliged to model it to the Genius or Humour of any of our Neighbours? Can a Briton hear this with Patience? Abſolute Monarchy, and deſpotic Power, have no doubt, in ſome Conjectures, the Advantage of our Form of Government; but ſhall we for the Sake thereof, give up the moſt valuable Conſtitution upon earth, ſo adapted to the Spirit of our People, and ſo well ſuited, in the general Circumſtances of Life, for the

Welfare

Anno 2. Geo. I. 1716.

Welfare and Happineſs of a free Nation, and by which we have hitherto ſhone forth with a diſtinguiſhing Luſture, from all other Countries in the World? But as to the Argument itſelf, why do Gentlemen imagine, that triennial Parliaments neceſſarily infer a triennial Government? Surely the executive Power is intirely in the Prince, there the Laws of the Land have placed it, and there I hope it will for ever remain: The Power of Peace, War, and Alliances, are the undoubted Prerogatives of the Crown, and no Parliament, I hope, will ever pretend to diſpute the ſame. The Stability therefore of our Government, as it relates to foreign Nations, depends intirely on the Prince; and I believe our ancient Allies never had, nor had Reaſons to have, a greater Reliance on any Britiſh Monarch, than on his preſent Majeſty, who ſo worthily fills the Throne; and I hope that Reliance will never be transferred from him to any Miniſtry, ſupported by any Parliament whatever; which, I think, would be of the moſt dangerous Conſequence to the Royal Dignity, the Liberties of the People, and to the true Intereſts of all our ſincere foreign Friends. But I am alſo at a Loſs to find out any neceſſary Connection between a new Parliament and a new Miniſtry, were there any Weight in that Objection; for, are not the publick Employments in the Diſpoſal of the King, and whilſt they are executed to his Satisfaction, will be continued in the ſame Hands? And when they are not, it is unfit they ſhould. And whatever Changes his Majeſty may at any Time happen to make, I am perſuaded they will be always ſuch as will be moſt for his own Service, and the Welfare of the Kingdom.' And I muſt declare the ſame Opinion as to Employments, as I have done with Relation to Seats in Parliament: That there are great Numbers in Britain, every way as well qualified for them as the preſent Poſſeſſors; and how great ſoever my Eſteem may be for the preſent Miniſtry, I cannot carry my Compliment ſo far as to think, that the Nation would be undone if they were laid aſide. But if by the Paſſing of this Law the preſent Miniſtry ſhould be effectually eſtabliſhed, which is more than any Man can pretend to propheſy, what Encouragement could this in reality give to the Forming of Foreign Alliances; when by the ſame Law it is fully inſinuated, and plainly admitted in the preſent Debate, that the Affections of a very great Part of the People are loſt to this very Miniſtry; for my own Part, I think it is doing them the greateſt Wrong, and furniſhing Foreign Princes and States with the ſtrongeſt Arguments againſt their entering into any Alliance with us. For it is not their being ſupported by a Majority of this Houſe

Anno 4. Geo. I. 1718.

Houſe that will be any ſubſtantial Encouragement, if it is believed that a Majority of the Nation are in very different Sentiments.

'Five hundred and fifty eight Gentlemen of Britain, abſtractedly conſidered, were they all unanimous, bear but a ſmall Proportion to the Numbers in the Nation; but when they ſit within theſe Walls, cloathed with the Authority of the People, and are thought to ſpeak their Senſe, 'tis then indeed that they will have the full Weight of the Commons of Great Britain. It is evident, that the preſent Miniſtry and Parliament were in Being when the late Rebellion broke out, and that notwithſtanding all other proper Meaſures, ſix thouſand Dutch Troops were thought neceſſary towards the ſuppreſſing thereof; they had not certainly been otherwiſe ſent for, nor would any Briton have dared to have given ſuch Advice; what Judgment then muſt that, and other States and Princes form from hence, of the Situation of our Affairs, eſpecially when by this Law we proclaim aloud, that our Heats and Animoſities do ſtill continue, and that there are ſtill very dangerous Diſpoſitions towards a new Rebellion; and if this be an Encouragement to enter into, and depend upon our Alliances, I know not what can be a proper Diſcouragement.

'I am therefore in Hopes that this Bill will not paſs; inſtead of ſuch extraordinary and unnatural Projects as theſe, there are others that deſerve our Attention. I think it would be a Deſign worthy of a Britiſh Parliament, to concert and execute the moſt proper Meaſures for the healing up of our Breaches, and uniting our Minds for the common Intereſt and Safety of the Nation. The firſt Step abſolutely neceſſary towards this great Work, ſeems to me to be, the forgetting all paſt Party-Quarrels, and extinguiſhing for the future thoſe odious Names of Diſtinction, which have been ſo long, and ſo unhappily kept up. And I will venture to ſay, that this Expedient towards Unanimity, is much more Chriſtian, leſs dangerous, and, though difficult, yet much more practicable, than the Extirpation or total Suppreſſion of either of the contending Parties, which the unthinking Furioſo's of both ſeem to be too fond of.

'I would not have Gentlemen diſcouraged, in endeavouring what I recommend, from any Difficulties which they may conceive therein; for ſurely there was a Time, and not long ſince, when this bleſſed Work could not have miſcarried; I hope it is ſtill practicable, or elſe the Nation will be ſoon undone; for, we are ſure, that a Kingdom divided againſt itſelf will be brought to Deſolation. But as to the Poſſibility of the Thing, let me put Gentlemen in

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mind of the great Heats and Animoſities, which were raiſed and continued, by the unexampled Violences and Cruelties of a long and bloody Civil War; yet theſe were all appeaſed in the very Beginning of the Reign of King Charles II. after his Reſtoration; the Hiſtory of that Time being ſufficiently known, I need not repeat the Meaſures which were then taken: Certain it is, the Nation enjoyed a Calm for many Years, our Trade flouriſhed, our Wealth increaſed, and we were both, in the literal and allegorical Senſe, a Land flowing with Milk and Honey; and this I hope will be again our Caſe. I would alſo recommend the Payment of our publick Debts, or at leaſt of putting them in a Way of being diſcharged in ſome reaſonable Time; for 'till this is done, we are, in my Opinion, in a State of the greateſt Inſecurity; for what Foreign Prince or State, will either court the Friendſhip, or dread the Enmity of a bankrupt People? For though particular Perſons are really rich, the Nation, whilſt loaded with a Debt of fifty Millions, is undoubtedly very poor; and is it not a melancholly Conſideration, that when the Individuals are very wealthy, that yet the Nation ſhould be very weak; this is indeed a Paradox; but greater ſtill, that Men can be ſo infatuated, as to ſleep ſecure under a Government, which can ſcarce be ſaid to be in a Condition of giving them Protection, and that too when it is in their own Power to Redreſs the Evil. Anno 2. Geo. I. 1716.

'Before I ſit down, I muſt obſerve, that this Bill is brought in by no Order of this Houſe, nor has aroſe on any Motion in it, but is a Preſent ſent us by the Houſe of Peers. I do not ſay, that their Lordſhips have not a Right to ſend us this, or any other Bill they pleaſe, a Money Bill excepted; but ſince it chiefly, if not wholly, relates to our own, and the Rights and Privileges of thoſe we repreſent, it would more naturally, in my Opinion, have had its Commencement here; and this Conſideration inclines me to believe, that it had not been eaſy to have found one among us, who would have been willing to have made himſelf remarkable by being the firſt Mover of ſo extraordinary a Law, ſo likely to diſguſt a vaſt Majority of the People. But there are other Reaſons aſſigned, and pretty freely talked of without Doors, for beginning this Bill in the Houſe of Lords, that thereby Time would be got, and proper Arguments applied, to convince Gentlemen of the Neceſſity of this Law, who, when it was firſt ſpoke of, ſeemed to be very much prejudiced againſt it; and 'tis ſaid, that there has been great Pains taken for that Purpoſe, and not without Succeſs. But 'tis ſaid, that the main Reaſon againſt beginning it here, was to take off that Byaſs, which was apprehended might be upon the Minds of Gentlemen, from the Doubtfulneſs

Anno 2. Geo. I. 1716.

fulneſs of its Fate in another Place; for though the Lords have, we have not an Inheritance in our Seats, but depend for a Continuance of them in future Parliaments, on the good Opinion of the Electors of Great Britain; and to deprive them of the Right of frequent Elections, which they are now entitled to by Law, cannot be ſuppoſed a proper Recommendation to their Favour; and it was therefore convenient to remove this ſtumbling Block out of the Way, that the Advocates for the Bill might argue and vote with greater Aſſurance. But I hope the Reſolutions of this Day will fully make appear, how falſe and groundleſs thoſe and ſuch like Suggeſtions are, and that we cannot be deterred from a faithful Diſcharge of the Truſt repoſed in us, or influenced againſt it, by any Motives or Conſiderations whatſoever; and that thoſe Gentlemen particularly, who have ſat long in Parliament, and on all Occaſions have ſo worthily diſtinguiſhed themſelves, by being the greateſt Advocates for the Rights and Liberties of the People, will at this Time ſhew the World, that they continue fixed and ſteady to the Principles they have always profeſſed. I therefore hope, that a Law which even the worſt Miniſtry, in the worſt of Parliaments, never had the Wickedneſs to attempt, will not actually be eſtabliſhed under the beſt Adminiſtration, and in the beſt Parliament with which this Nation was ever bleſſed.'



Mr *Hampden*'s SPEECH

In DEFENCE of the

PEERAGE-BILL.

[*See Page* 202.]

Mr Speaker,

AS a Member of this Houſe, I conſider myſelf as the Truſtee of thoſe whom I repreſent; engaged in Honour to guard thoſe important Truſts that are repoſed in me, as well as to defend the Privileges of the Houſe I belong to. By this Rule I meaſure my Duty, that whatever new Law is contrary to, or deſtructive of, thoſe Truſts, I am bound to oppoſe it: but that whatever new Law is agreeable to them, conſidered in their natural Intent and Meaning, and conſiſtent with the Dignity and Privileges of our Houſe, I am at Liberty to vote for it; nay, I am indeed obliged to do ſo, if it be found for the Good of the whole Community, or to have any Tendency towards making the future Condition of thoſe I repreſent, and thoſe with whom I ſit, better and happier. Anno 6. Geo. I. 1719.

'I make no Exception here, even of thoſe Laws which more nearly touch the principal Branches of our Conſtitution, provided they touch not the Vitals and Eſſentials of it. Every new Law is certainly an Alteration of the Conſtitution in ſome Senſe, as it gives or takes away ſome Power or Privilege not enjoyed, or enjoyed before, by the Crown. But theſe new Laws added, or old ones aboliſhed, every Day, do not affect the Vitals of the Conſtitution. The King is ſtill the Executor of the Laws, tho' thoſe Alterations make a daily Change in his executive Power; but in the Caſe before us, becauſe the Bill propos'd is expreſly declared to be deſigned to alter the preſent Condition of the Houſe of Lords, and becauſe that Houſe is one of the States of the Realm; this ſeems to have affected ſome Members, as if it were ſomething more eſſential to our Conſtitution than the Alteration of the King's Power, with his own Conſent, in any other new Law. But as the Eſſence of the Conſtitution *conſiſts not in having the* Number of Lords unbounded, any

Anne 6. Geo. I. 1719.

more than the Number of the Commons; the Limitation of the Royal Power, with Reſpect to this, is no more an Alteration of the Conſtitution in its Eſſentials, than the Alteration of many other old Laws or Cuſtoms. The King's Power of adding new Lords *in infinitum*, is indeed by the Intent of this Bill ſtopt and cut off. But there ſtill remains a Houſe of Lords, and in the Crown the Prerogative of making new Lords upon all Extinctions and Failures that may be. And this being no more than the turning an unlimited Power into a limited, or an Alteration of the Exerciſe of one of the Powers of the Crown, it cannot poſſibly be ſaid to diſturb or affect our Conſtitution in its eſſential Parts.

The Deſign of the Bill in ſhort is this, 'That, on the 'Part of Scotland, in lieu of Sixteen Elective Peers, Twenty five ſhall have Hereditary Seats in Parliament, to be 'filled up, upon any Extinction, out of the Peers of Scotland; and that on the Part of England not more than Six 'Peers may be added by the King, to the preſent Number; 'and all Failures to be ſupplied by the Crown, out of the 'natural born Subjects of Great Britain.' 'This is the Deſign of the Bill: And the only Point of Moment is, Whether this Alteration be of that Nature as that it can be honourable and becoming us, as Members of the Houſe of Commons, to concur in it.

'In the firſt Part of this Deſign which relates to Scotland, the increaſing the Number of Scotch Peers, by the Addition of Nine, is the reaſonable Conſequence of the Increaſe of Engliſh Lords ſince the Union, in which it was always deſigned that ſome Proportion ſhould be kept between the Lords of each Part of the Kingdom. Nor can we, in the whole, think this Proportion too great. The changing their Election into Hereditary Succeſſion, is to accommodate their Condition to the Condition of thoſe Peers with whom they ſit. Beſides, by this Means the Heads of the Nobleſt Families in Scotland may ſit in Parliament; and they particularly who have former Claims by Patents may be called thither, to prevent the fatal Conſequences of a repeated Refuſal of thoſe Claims, which is univerſally in that Country look'd upon as an open Breach of the Union.

'I have heard ſeveral of the Scots Peers declare in the ſtrongeſt Terms poſſible, that they would never have ſubmitted to ſit by way of Election, but in Hopes of meeting with ſuch a favourable Opportunity of altering it; and that all their Acquaintance, and their Principals themſelves, knew their Sentiments upon this Subject. And if ſuch an Alteration, ſuppoſing it for the better, as it makes the Scots Lords much more independent upon Courts and Miniſters,

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ought not to be made without the expreſs Conſent of their Principals, who have a preſent Perſonal Right to be Electors and Elected, I would only propoſe then, that it is impoſſible to come to ſuch a Conſent, becauſe the Argument being taken from Perſonal Right, will make the expreſs Conſent of every individual Peer neceſſary, and not only the Conſent of a Majority: That the Peers not nominated at firſt have ſtill a Chance of being Hereditary Peers of Parliament upon any Failure; which is certainly a more honourable Condition than their preſent: And that the Union itſelf, of which this is only a Circumſtance, was effected by elected Perſons altering, in the moſt eſſential and important Points, the Condition and State of their Electors, without any Conſent of theirs, obtained or ſought after, or ſuppoſed. If therefore there is an Union, notwithſtanding that the Principals of the Scots Commons were never ſo much as ſuppoſed to give any Conſent; there may be an Alteration of the Circumſtances of that Union, without any ſuch Condition. And they who inſiſt ſo zealouſly upon this Argument, ſhould firſt declare that there is and can be no Union, before they declare it impoſſible in Juſtice to mend any ſuch Circumſtance belonging to it. For if this be impoſſible, the Union is none at all; but if the Union be good and right, or to be maintained, then this Alteration is not impoſſible in Juſtice and Equity. I might add, that tho' ſome other Articles of the Union are declared Fundamental and Eſſential, yet nothing of this Sort is declared, in the Act of Parliament, concerning the Election of the Scots Peers. Anno 6. Geo. I. 1719.

'The great Point to us, I think, is the determining the Number of Peers in the Houſe of Lords for the Future, and the limiting the Crown in the Prerogative of making Lords. How this can affect the Publick, of which we are the Guardians; or the ſeveral Branches of the Legiſlature, for all which we ought to have a Concern; or our Houſe in particular in its Dignity or Power of doing Good: Theſe are what properly lie before us.

'As a Member of the Houſe of Commons, I am obliged not only to have a great Concern for that Part of the Legiſlature in particular, but the Whole and every Part of it; that no One Part encroaches upon Another to the Detriment of the Whole; that the Ballance be as ſtrictly and as nicely preſerv'd as poſſible; that no One of the States be brought into Contempt or Diſability; and that our own Houſe in particular, or thoſe we repreſent, do not ſuffer in any Inſtance, by the Loſs of any Good, or by the Acceſſion of any Evil.

'With a View to theſe Points, I conſider what will be the Effect, if this Bill paſſes; and what will be the Conſe-

Anno 6 Geo. I. 1719.

quence, if this, or ſomething like it, does not paſs. As to the Crown it ſelf, ſuppoſing the Bill to paſs, there will indeed be a Power reſtrained in the Exerciſe of it. But what Power? Why truly the Power of making Lords upon all Occaſions, in all Events, and for all Purpoſes imaginable: And this Power lodged in every King for ever. This Bill therefore reſtrains a Power almoſt too vaſt to be conceived: carried already to a great Exceſs; proceeding in every Reign to greater; and ſtill to go on, as long as ſuch a Government, with ſuch a Houſe of Lords as muſt be in time, can keep up any Dignity; I might have ſaid, can preſerve any Being. It reſtrains a Power which muſt of Neceſſity, in the natural Courſe of many Reigns, deſtroy all the Honour and Dignity of the States, which I am concerned and obliged to preſerve. And beſides this, as a Commoner, can it poſſibly be diſagreeable to me, that a Power in the Crown ſhould be reſtrained, which is at leaſt as liable to be abuſed, as to be well uſed; perhaps more ſo, if we conſider what Men, veſted with Power and Paſſions and Imperfections, are generally ſhew themſelves to be.

'If we come now to the Houſe of Lords it ſelf; this Bill, if it paſſes into a Law, will confine the Number of Peers in it to what it is at preſent, with the Additions before mentioned. What evil Conſequences, or ill Effects, this can have in the Houſe it ſelf, in Compariſon of the Contrary, will the better appear, if you will give me Leave to make a Suppoſition, which is very allowable in Argument, tho' I fear it would never be verified in Practice. Suppoſe therefore that the preſent, and all ſucceeding Kings, ſhould take an abſolute Reſolution not to add to the Number of Peers, but to keep them exactly what they are, only by filling up the Failures in Families which may happen. Let me aſk you, Is there a Man, is there a Member of the Houſe of Commons, who, abſtracted from private and reſtleſs Ambition and Impatience of waiting, would not rather commend ſuch a Reſolution, as Wiſdom and Regard to the Publick; than condemn it as Weakneſs or Folly? And yet, with reſpect to any accidental evil Conſequences, this would put the Houſe of Lords exactly into the ſame State, in which the preſent Bill would leave it. The Increaſe or Decreaſe of the Influence of a Court in that Houſe; the Management of a Miniſtry, and the Effects of that Management; nay, and the Formidableneſs of that noble Body it ſelf; would, in all Reſpects, ſtand exactly where they will now ſtand if this Bill paſſes into a Law. And yet no one, I preſume, would tax ſuch a Reſolution, either with Weakneſs or evil Deſign; becauſe it is evident that, by this Means, one Way at leaſt of forcing through the Houſe of

Lords

Lords what is agreeable to a Court, tho' never ſo bad in it ſelf, or of hindering what is diſagreeable, tho' never ſo good in it ſelf, is entirely cut off. It is our Intereſt, and the Intereſt of the Publick, that the Conſultations of that Houſe ſhould be free; which they could not be ſaid to be, at a Time when the Crown poured in a Number of Lords to carry a Queſtion in Danger. And by this Bill one Way, at leaſt, to that Freedom is laid open and made ſecure for ever. Anno 6. Geo. I. 1719.

'With reſpect to Our Selves in this Affair: One Thing the Commons, as the Guardians of Liberty, have to wiſh for, is, that the Lords ſhould be as little under the Influence of a Court, as ſuch a Body can be ſuppoſed to be. Now I would aſk, Is it a ſmall Number, or a great Number, in that Houſe, which can render it moſt liable to this great Evil? I am confident, it will be granted that it is the Smallneſs of their Numbers which does it. Nor have we ever heard of ſo many and ſo conſtant Compliances with Courts, as in thoſe Times when they were not half the Number of what they are now. This Evil is prevented by the great Number which is ſtill to be left; and without doubt will be conſtantly kept full: A Number a little too large, I hope, for the Purſe of a Court, conſidering how great an Occaſion there is for Money in other Places, ſuppoſing the Conduct of Men to be influenced by ſo bad and ſo baſe a Motive. Where therefore can we ſtop better, than where we ſhould applaud our Kings for ſtopping themſelves; when there is a Number (as nearly as ſuch Things can be calculated) great enough to take off the Superfluity of Dignity and Power in that Houſe; great enough to be a Bar againſt the moſt fatal Managements of bad Miniſters, by the ſole Influence of Poſts and Profits; and yet not great enough to create any Danger to the Whole, in any other Reſpect, if it be ſtop'd at once effectually. I appeal to you, if any Commoner can ever wiſh or hope for the Good of the Publick, to ſee a Number of Lords exceeding Two Hundred and Thirty Five; nay, whether we ever wiſhed to ſee ſuch a Number as there is at preſent; or ever thought any otherwiſe of the Additions made in late Years, than as of ſomething not very wiſe or politick. And if ſo, I hardly think we can juſtly diſſent, upon any very plain Reaſon, from the Confinement of that Number now deſigned.

'Another Wiſh I have, as a Commoner, is, that there may not be a perpetual Incentive to the Ambition of our Members, to leave their Seats with us; as has been of late obſerved; which I have always thought to reflect a Diſhonour and Ignominy upon our ſelves. Nor ſhould there be wanting, at the ſame Time, as many Opportunities as can reaſonably be thought ſufficient, for the rewarding of the Merits

Anno 6. Geo. I. 1719.

Merits of Commoners. This Bill, if it paſſes, will, as far as can be judged, very much contribute to theſe two Points. I do not mean, it will perfectly put a Stop to Applications and Solicitations; becauſe there can be no ſuch Thing hoped for, whilſt there is ſuch a Thing as a Houſe of Lords. But as, on one Hand, many cannot be called up together; and, on the other, there will be ſome few Vacancies generally in Expectation; One cannot think of a better Medium than this, at once for the Encouragement of good Services in Commoners, and for the making them more content and eaſy, in applying themſelves to the Buſineſs of the Houſe, and leſs reſtleſs and impatient to be called out of it. And this you will eaſily agree in, that, after the Paſſing of this Bill, when a Commoner ſhall be called up for the future, he will be called up to an Honour much more valuable and diſtinguiſhing, than he is, in the preſent Condition of that Houſe. I have often thought that the Dignity and Reputation of our Houſe has ſunk, in Proportion to the great Levies, if I may ſo ſay, made out of it; or to our Members voluntarily preſſing and thronging into the other. And I think here is a Remedy as effectual as can be expected.

'But there is another Way of conſidering this Queſtion, and that is, by ſuppoſing this Bill not to paſs; and this Power in the Crown to continue infinite and unlimited, as it now is; and by weighing the Conſequences upon this Suppoſition in future Ages; to which I hope we all mean to tranſmit our Conſtitution, unhurt in its eſſential Parts.

'Suppoſing this, I ſay, the Crown will indeed remain poſſeſſed of a Prerogative: But a Prerogative, the Exerciſe of which will come to reflect Shame upon itſelf, as well as upon thoſe who will ſtill partake of the Benefit of it. The Crown will have a Power, which will, I ſuppoſe, be from Time to Time exerciſed; nay, which muſt be ſuppoſed to be exerciſed to a great Extent, whenever any Miniſtry ſhall have any Deſigns to carry forward by it. The Power of the Crown will be untouched indeed; but the true Dignity and Glory of the Crown will be far from being untouched. It will be a Power, the Benefit of which at laſt no Man of Honour will either ſeek after, or accept; and ſo muſt be exerciſed, whenever there ariſes a real or ſuppoſed Neceſſity, upon Men of a different Character.

'The Houſe of Lords, ſuppoſing the Exerciſe of this Royal Prerogative to remain unlimited by the rejecting this Bill; which too probably will be the laſt, as it is the firſt of the Sort: The Houſe of Lords, I ſay, what will it become in Time? Who would not envy our Poſterity the Sight of double or treble the preſent Number of Peers? Or, who would not applaud the Figure our Conſtitution muſt make,

Anno 6. Geo. I. 1719.

make, at ſuch a Time; if it can be then called Our Conſtitution; when it is impoſſible to ſuppoſe that Men of Worth and Virtue will be prevailed upon to help to fill that Houſe; and when yet it muſt be ſuppoſed that others will do it, to anſwer the particular Occaſions of a Court, and their own Neceſſities, or Ends, at the ſame Time? We cannot have a meaner Idea of a Houſe of Parliament, than this gives us; nor a more deſtructive one to the Nature of our Conſtitution; nor a more fatal one to the whole Community. And as we ought equally to guard againſt the formidable, and the ignominious Eſtate of that Houſe; as well as the Diſhonour and Injury of the whole Conſtitution; I think we cannot wiſh to ſee the Number of Peers to go on and increaſe, as they muſt do.

'But if you ſay, the Nature of Things will ſtop this Evil without a Law for this Purpoſe: I wiſh it were ſo, in Probability; becauſe then I am ſure this Bill would be proved reaſonable by this very Argument. For if it be reaſonable that this Increaſe of Numbers ſhould ſtop; you muſt either find out that Point at which ſuch an Evil will ſtop itſelf, which is beyond the Wit of Man to do; or you muſt concur to ſtop it the firſt Opportunity you have, at ſuch a Number as might be thought tolerably reaſonable, as far as ſuch a Matter can be calculated. And again, if it be reaſonable that this Increaſe ſhould ſtop ſomewhere; certainly there can be no Argument againſt ſtopping it now, unleſs it be this, that the Number of Peers propoſed is too little; nay, that it is remarkably very much too little; for there is no ſtanding upon Niceties in ſuch a Caſe. But no One, I believe, will ſay that the Numbers of Peers propoſed is too little. Hitherto the Complaints have been on the contrary Part; and no One could ſay this, who muſt not, by the ſame Breath, condemn our Princes, ſhould they all reſolve never to augment the Number. But indeed it is ſo far from being likely that this Increaſe will ever ſtop of itſelf, in the Courſe and Nature of Things; that the Contrary muſt be certain, as long as it is certain that there will be too often, in all Ages and all Reigns, Deſigns to be carried on which will call for a ſudden Increaſe of this Number; and always Men in the World capable of accepting a Call, for the Benefit of ſuch Deſigns. And this I think a very deplorable Conſideration, ſuppoſing this Bill not to paſs.

'As to our Houſe, and its Members; and the Intereſt of the Commons as ſuch; beſides that it is our ſtrict Intereſt and Duty to preſerve the whole, by the due Balance of its ſeveral Parts; I ſhall only ſay, upon Suppoſition of the Number of Lords continual Increaſe upon the rejecting this Bill, that neither our Freedom in our Elections or our

Votes,

Anno 5. Geo. I. 1719.

Votes, nor our Honour in being at any Time called up to the Houſe of Peers, can be ſaid to be ſo great and ſo valuable, as it will otherwiſe be. In the Affair of our Elections before we ſit, and our Proceedings whilſt we ſit, the increaſing Number of Peers, which muſt be vaſt in Time, will have a great Effect, and not a very good one; perhaps indeed in a ſmaller Proportion in our Days, but in a more fatal Manner in Proceſs of Time; in thoſe future Times, to which we ought to extend our Concern, if we have any true Regard for our Country. It will be a ſmall Comfort to the Commoners of Great Britain, even if they have a Mind to keep up too remarkable a Diſtinction between themſelves and the Peers, to think that the Number of Peers increaſing (as it muſt do without this Bill) does itſelf make the Peers contemptible and mean in their own Houſe and in ſome other Reſpects; whilſt this very Number, ſo perpetually increaſing, muſt itſelf, as I apprehend, give them a much greater Power and Influence without their own Doors, and within ours, than they could otherwiſe have. For, even ſuppoſing them, in Time, to be many of them Perſons but of indifferent Fortunes in the World, or the like; yet by their great Numbers, being diſperſed every where in every Corner of the Land, and having numerous Deſcendents, Relations, Acquaintances and Dependents, this very immenſe Number muſt be a Weight, and a very great one. Their Influence in Elections of the Commoners muſt be vaſt; and their Influence afterwards, in the Houſe of Commons, muſt be proportionable, after the Election; in carrying Votes, in forwarding or hindring any Law; and the like.

'There is another Evil for which the Commons of Great Britain have always uſed to wiſh to ſee ſome Remedy; and that is, the ſkreening of evil Miniſters and evil Counſellors from the Cenſures and Impeachments of our Houſe. What more natural Way for a Court to do this, eſpecially ſince a late Experiment, than to croud into the Houſe of Lords a Number of Peers upon ſuch a great Occaſion? Suppoſing this Bill not to paſs, this Evil remains without a Remedy: And it is an Evil which ought to affect every Member of the Houſe of Commons, in a very peculiar Manner.

'It has been alledged that upon fixing thus the Number of Peers, they will think themſelves the more powerful; and many of them living in a very Expenſive Manner, and perhaps the more ſo after this, that the Fate of our Laws may come to depend upon ſuch as have made themſelves poor, and conſequently Slaves to a Court. This is a Speculation, I confeſs, which may poſſibly prove true in Fact, if

you

you can ſuppoſe any Perſon to reſolve to make himſelf poor merely for the Pleaſure of being a Slave; or that there will be one Peer more or leſs expenſive on this ſole Account. But ſuppoſing this to be poſſible and probable both; I ſtill ſay, it is better to run the Riſque of this which is uncertain, and to have the Fate of your Laws depend upon ſome who ſhall voluntarily make themſelves indigent; than to have the Fate of your Laws, or of any publick Deſigns, depend upon a Number of Perſons at any Time to be called up, as a King or a Miniſtry ſhall think fit: Which is not the poſſible uncertain Conſequence of not paſſing this Law, but the certain and unavoidable one in Times to come. And to prevent an uncertain Evil, I can never perſuade myſelf to run into a certain one. Anno 6 Geo. I 1719.

'It may be ſaid perhaps, that our Liberties have hitherto ſubſiſted under the Exerciſe of this unlimited Power of the Crown; and therefore may ſtill go on, and continue in a very good Eſtate, without any Limitation to it. But this Way of arguing is very unhappy, becauſe it is equally good againſt making any new Laws; and eſpecially againſt preventing any probable Dangers to the Publick; which is the great Buſineſs of a Parliament to do; and of much greater Importance, than to wait 'till they become perhaps too big to be remedied. We have not been ruined, therefore we need not take Care to prevent Ruin, is but a very weak Way of Reaſoning; and worſe than weak, where the Whole is concerned. The Attempt has once, in a very remarkable Manner, been made; and there were few, I believe, who did not think it a fatal Precedent, ſuppoſing it to have been made even for a good Cauſe and a praiſe-worthy End. What has been done may be done; what has been done in a great Degree may be done in a greater ſtill. What might have ruined us once, may ruin us another Time. To prevent that Danger which might have come heretofore, and may come hereafter, in one certain Method at leaſt, is one End which will be anſwered by this Bill.

'But it may be ſaid, that all the Evils ariſing from the Crown's making a great Number of Lords at one Time, to carry any one great Point, may be prevented in another Way, either by enacting, That Lords ſhall not vote in the Houſe till a Year or two after they are created; or by confining the Crown to a very ſmall Number every Year. It muſt be owned, that this might poſſibly remedy thoſe Evils particularly; but it is not at all certain that this would do it effectually, ſuppoſing Courts to lay their own Deſigns long before-hand, and to have any Skill, as ſome have had, in the Choice of proper Perſons. We Commons ſhould remember, I think particularly, that there was a Time when

Anno 6. Geo. I. 1719.

the Power of the Crown was unlimited as to our own Houſe; and could give to new Boroughs the Privilege of ſending Members. And was it not a great Evil, that Courts could chooſe ſuch Boroughs for this Purpoſe, as they knew wou'd carry on their Deſigns, and elect ſuch as they ſhould nominate? We reckon it a Happineſs that this Evil, which threaten'd the Freedom of our own Houſe, is now cured by the Confinement of our Numbers. And ſhall we envy the other Houſe the ſame Freedom, equally good for the Publick, which cannot be procured ſo effectually, as by the ſame Confinement upon which we reckon our own to ſubſiſt; eſpecially, conſidering that the Method propoſed inſtead of this, muſt by Degrees make an Increaſe of Lords vaſtly diſproportionate to the Commons; and, by calling up rich Commoners, muſt make that Houſe, of which we are ſo jealous peculiarly on the Account of Property, I will not ſay, to repreſent Property, but what is more, to poſſeſs almoſt all the Property in the Nation.

'Let us be as jealous of Miniſters as we ought; that is, as jealous as they give us Occaſion to be. But let not that Jealouſy drive us out of the Temper, with which every Thing propoſed to us demands to be conſidered; nor divert us from balancing the Good and Evil on both Sides; and determining our ſelves by that Balance. I leave my ſelf open to new Light; but, 'till that comes, I will be ſo free as to add, 'Let it not be ſaid by our Poſterity (if it 'be, I fear it will be ſaid with no very kind Reflections 'upon us their Fore-fathers) that there was a Time in Great 'Britain, when there was a King upon the Throne who 'had the Goodneſs ſo uncommon, as to be ready to recede 'from his Prerogative, in order to put our Conſtitution 'upon a Foot of greater Certainty and greater Freedom; 'and that there was a Houſe of Commons not diſpoſed to 'make Uſe of a Conjuncture, which the Nation has little 'Reaſon to hope ever to ſee again as long it continues in 'Being.'

Mr

Mr *Hutcheſon*'s SPEECH

In the DEBATE concerning the

Number of Land-Forces for the Year 1718.

[*See Page* 155.]

Mr Speaker,

THE firſt Footſteps I find of a Standing Army in England, ſince the Romans left the Iſland, were in Richard the Second's Time, who rais'd Four Thouſand Archers in Cheſhire, and ſuffer'd them to plunder, live upon free Quarter, beat, wound, raviſh and kill wherever they went; and afterwards he call'd a Parliament, encompaſs'd them with his Archers, forc'd them to give up the whole Power of Parliaments, and make it Treaſon to endeavour to repeal any of the arbitrary Conſtitutions then made: But being afterwards obliged to go to Ireland to ſuppreſs a Rebellion there, the People took Advantage of it, and dethron'd him. Anno 4. Geo. I. 1717.

'The Nation had ſuch a Specimen in this Reign of a Standing Army, that I don't find any King from his Time to that of Charles the Firſt, who attempted to keep up any Forces in Time of Peace, except the Yeomen of the Guard, who were conſtituted by Henry the Seventh. And tho' there were ſeveral Armies rais'd in that Time for French, Scotch, Iriſh, and other foreign and domeſtick Wars; yet they were conſtantly diſbanded as ſoon as the Occaſion was over. And in all the Wars of York and Lancaſter, whatever Party prevail'd, we don't find they ever attempted to keep up a Standing Army. Such was the Virtue of thoſe Times, that they would rather run the Hazard of forfeiting their Heads and Eſtates to the Rage of the oppoſite Party, than certainly enſlave their Country, though they themſelves were to be the Tyrants.

Anne 4. Geo I. 1717.

'Nor would they ſuffer our Kings to keep up an Army in Ireland, tho' there were frequent Rebellions there, and by that Means their Subjection very precarious; as well knowing they would ſoon be in England if call'd for. In the firſt three Hundred Years that the Engliſh had Poſſeſſion of that Country, there were no Armies there but in the Times of War. The firſt Force that was eſtabliſh'd, was in the 14th of Edward the Fourth, when one Hundred and twenty Archers on Horſeback, Forty Horſemen, and Forty Pages, were eſtabliſh'd by Parliament there; which ſix Years after were reduced to Eighty Archers and Twenty Spearmen on Horſeback. Afterwards, in Henry the Eighth's Time, in the Year 1535, the Army in Ireland was three Hundred; and in 1543, they were increaſed to three Hundred and Eighty Horſe, and ſixteen Hundred Foot, which was the Eſtabliſhment then. I ſpeak this of Times of Peace; for when the Iriſh were in Rebellion, which was very frequent, the Armies were much more conſiderable. In Queen Mary's Days the Standing Forces were about twelve Hundred. In moſt of Queen Elizabeth's Time the Iriſh were in open Rebellion; but when they were all ſuppreſs'd, the Army eſtabliſh'd was between fifteen Hundred and two Thouſand; about which Number they continu'd till the Army rais'd by Lord Strafford, in the 15th of Charles the Firſt.

'Our thrice happy Situation defends us from the Neceſſity of a Standing Army, which the Indiſcretion of ſome of our Neighbouring Nations have permitted, to the Deſtruction of their Liberty. Beſides, lying open to continual Invaſion, they can never enjoy Quiet and Security, nor take a ſound Sleep, but Hercules like with Clubs in their Hands. So that the Halcyon Days which we for the moſt Part enjoy, muſt be ſolely attributed to our Tutelar God Neptune, who with a Guard of winged Courſers ſo ſtrongly intrenches us, that we may be ſaid to be *media inſuperabilis unda*, and not unfitly compared to the Earth, which ſtands fixed and immoveable, and never to be ſhaken, but by an internal Convulſion. And yet we have much Talk of a Standing Army which is to be in Time of Peace, but no Body can tell us what they are to do: We know their uſual Commiſſion is to kill and ſlay, but where now is the Enemy? Many talk of this with as much Certainty, as if they were already eſtabliſhed, and are pleaſed to affirm it neceſſary to have a vaſt Body of Forces continued on Foot. Whereas the firſt Project we find for a Standing Army, in the Year 1629, required only three thouſand Foot in conſtant Pay, which were to bridle the Impertinence of Parliaments, and to over-run the Nation, to make

Edicts

Edicts to be Laws, to force upon the People vaſt Numbers of Exciſes; and, in ſhort, to overturn the whole Frame of this noble Britiſh Government. Anno 4. Geo. I. 1717.

'I wonder whoſe Advocates thoſe Men are, who talk ſo warmly of this Matter; for I am ſatisfy'd none of thoſe brave Britons, who have fought honourably for their Country, ever meant, when the Service was over, to be a Charge, Burden and Terror at home; nor to disfranchiſe us of two of our Native Liberties, Freedom from Martial Laws, and Billeting of Soldiers; and thereby directly to take away from themſelves, as well as from their Fellow-Subjects, one Half of the Benefit of the Petition of Right, and in Conſequence the other Half too, the Fredom of their Perſons and Eſtates. Neither can it be ſuppoſed a gratifying of his Majeſty, to eſtabliſh greater Forces than have been uſual in former Reigns in Times of Peace. His Majeſty has ſhewed and expreſſed ſo much Tenderneſs and Concern for the Liberties and Eaſe of his Subjects, and even, when the Neceſſity of the State ſeemed to require it, was ſo very cautious in the Uſe of that Power inveſted in him by the Parliament, with reſpect to the raiſing of Forces for the Defence of the Kingdom and the Suppreſſing of the late Rebellion, that every Body admired his wonderful Reſolution, in truſting his Royal Life and Crown to ſo inconſiderable a Number of Troops, in the moſt dangerous Juncture which threatened both. How then can it be imagined that His Majeſty inclines to continue a Burden upon his Subjects, which he was ſo loath to impoſe when the greateſt Exigences of State called for it? But there are ſome Gentlemen, who a few Years ſince were the pretended Patriots of their Country, who had nothing in their Mouths but the ſacred Name of Liberty, who in the late Reigns could hardly afford the Monarch the Prerogative that was due to him, and which was abſolutely neceſſary to put in Motion this Machine of our Government, and to make the Springs and Wheels of it act naturally and perform their Function; I ſay, theſe Gentlemen, that in ſome former Reigns could not with Patience hear of the King's ordinary Guards, can now diſcourſe familiarly of thirty thouſand Men to be maintained in Time of Peace. But let them not deceive themſelves, for ſuppoſing they vainly think to make their Court this Way, yet they would quickly find themſelves out-flattered by the Party they fear, who have been long the Darling of Arbitrary Power, and whoſe Principles as well as Practices teach them to be Enemies to all the legal Rights and juſt Liberties of their Native Country; and ſo theſe wretched Hunglers would be made uſe of only to bring together the

Materials

Anno 4. Geo. I. 1717.

Materials of Tyranny, and then muſt give Place to more expert Architects to finiſh the Building.

'And tho' we are ſecure from any Attempts of this Kind during the Reign of a Prince, who preſerves us from a Captivity that would be equal to what Moſes redeemed the People of Iſrael from; a Prince whoſe Life is ſo neceſſary to the Preſervation of Europe, that both Proteſtant and Popiſh Princes have forgot their ancient Maxims, and laid aſide their innate Animoſities, and made it their common Intereſt to chuſe him their Arbitrator: A Prince in whom we know no Vice, but what has been eſteemed a Virtue in others, his undeſerved Clemency to his Enemies. I ſay, was this moſt excellent Prince to be immortal, we ought in Prudence to abandon all Thoughts of Self Preſervation, and wholly to rely on his Care and Conduct. Or had we as certain a Proſpect of the Nation's being perpetually bleſſed with Monarchs, that ſhall inherit his Royal Virtues as well as Kingdoms, as we have in the next immediate Heir, his Royal Highneſs the Prince of Wales, there were no great Occaſion or Neceſſity of appearing anxious for the future Welfare of our Country, more than for the preſent: But ſince no Virtue nor Pitch of Glory will exempt theſe Princes from paying the common Debt to Nature; we ought not to intruſt any Power with them which we do not think proper to be continued to their Succeſſors. And doubtleſs his Majeſty will not regret this, or any Thing elſe that can reaſonably be required, in order to compleat that Deliverance, and Happineſs of his People, ſo far advanced by his wonderful Conduct. For to ſet us within View of the promiſed Land, with a *ne plus ultra*, is the greateſt of all human Infelicities; and ſuch I ſhall always take our Caſe to be, whilſt a Standing Army muſt be kept up to prey upon our Entrails, and which muſt in the Hands of an ill Prince (which we have had the Misfortune frequently to meet with) infallibly deſtroy our Conſtitution.

'And this is ſo evident and important a Truth, that no Legiſlator ever founded a free Government, but avoided this Charibdis, as a Rock againſt which his Commonwealth muſt certainly be ſhipwrack'd, as the Iſraelites, Athenians, Corinthians, Achaians, Lacedemonians, Thebans, Samnites and Romans; none of which Nations, whilſt they kept their Liberty, were ever known to maintain any Soldier in conſtant Pay within their Cities, or ever ſuffer'd any of their Subjects to make War their Profeſſion; well knowing that the Sword and Sovereignty always march Hand in Hand; and therefore they train'd their own Citizens, and Territories about them, perpetually in Arms; and their whole Commonwealths, by this Means, became ſo many form'd Militia's:

Militia's: A general Exerciſe of the beſt of their People in the Uſe of Arms, was the only Bulwark of their Liberties; this was reckon'd the ſureſt Way to preſerve them both at Home and Abroad, the People being ſecur'd thereby as well againſt the Domeſtick Affronts of any of their own Citizens, as againſt the Foreign Invaſions of ambitious and unruly Neighbours. Their Arms were never lodg'd in the Hands of any who had not an Intereſt in preſerving the publick Peace, who fought *pro aris & focis*, and thought themſelves ſufficiently paid by repelling Invaders, that they might with Freedom return to their own Affairs. In thoſe Days there was no Difference between the Citizen, the Soldier, and the Huſbandman; for all promiſcuouſly took Arms when the publick Safety requir'd it, and afterwards laid them down with more Alacrity than they took them up: So that we find among the Romans, the beſt and braveſt of their Generals came from the Plough, contentedly returning when the Work was over, and never demanding their Triumphs, till they had laid down their Commands, and reduc'd themſelves to the State of private Men. Nor do we find this famous Commonwealth ever permitted a Depoſition of their Arms in any other Hands, till their Empire increaſing, Neceſſity conſtrain'd them to erect a conſtant Stipendiary Soldiery Abroad in Foreign Parts, either for the holding or winning of Provinces. Then Luxury increaſing with Dominion, the ſtrict Rule and Diſcipline of Freedom ſoon abated, and Forces were kept up at Home, which ſoon prov'd of ſuch dangerous Conſequence, that the People were forc'd to make a Law to employ them at a convenient Diſtance; which was, that if any General march'd over the River Rubicon, he ſhould be declared a publick Enemy. And in the Paſſage of that River, this following Inſcription was erected; *Imperator ſive Miles, ſive Tyrannus armatus quiſquis iſtito; vexillum armaque deponito, nec citra hunc amnem trajicito.* And this made Cæſar, when he had preſum'd to paſs this River, to think of nothing but the preſſing on to the total Oppreſſion of that glorious Empire. Anno 4. Geo. I. 1717.

'Nor did any Nation deviate from theſe Rules but they loſt their Liberty; and of this Kind there are infinite Examples.

'The Story of Denmark is ſo very well known, and ſo well related by an excellent Author [*Lord Moleſworth*] that it would be Impertinence in me to repeat it; only this I will obſerve, that if the King had not had an Army at his Command, the Nobles had never delivered up their Government.

'Our Countryman Oliver Cromwell turned out the Parliament under which he ſerv'd; and this he effected by the Aſſiſtance of an Army.

'Some

Anno 4. Geo. I. 1717.

'Some People object, that the Republicks of Venice and Holland are Inſtances to diſprove my Aſſertion, who both keep great Armies, and yet have not loſt their Liberty. To this I anſwer, that neither keep any Standing Forces within the Seats of their Government, that is, within the City of Venice, or the great Towns of the United Provinces; but they defend theſe by their own Burghers, and quarter their Mercenaries in their conquer'd Countries, viz. the Venetians in Greece, and the Continent of Italy, and the Dutch in Flanders. And the Situation of theſe States makes their Armies, ſo poſted, not dangerous to them; for the Venetians cannot be attack'd without a Fleet, nor the Dutch be ever conquer'd by their own Forces, their Country being ſo full of ſtrong Towns, fortify'd both by Art and Nature, and defended by their own Citizens, that it would be a fruitleſs Attempt for their own Armies to invade them; for if they ſhould march againſt any of their Cities, 'tis but ſhutting up their Gates, and the Deſign is ſpoil'd.

'I would not here be miſtaken, as if I advanced any Argument againſt the Quartering of Guards in and about the City of London; for theſe being appointed for the Defence and Guard of the King and Royal Family, are obliged to be poſted in all ſuch Places wherever the Court reſides. Neither do I object againſt the maintaining of a competent Number of Troops, ſuch as have been allowed our former Kings to be kept in Pay in Times of Peace: But that an Army of thirty Thouſand Men ſhould now in a profound Peace be kept ſtanding, is what no honeſt Man or Lover of his Country will venture to affirm. And to return the laſt Objection, tho' we ſhould admit, that an Army might be conſiſtent with Freedom in a Commonwealth, yet it is otherwiſe in a free Monarchy; for in the former, 'tis wholly in the Diſpoſal of the People, who nominate, appoint, diſcard, and puniſh the Generals and Officers as they think fit, and 'tis certain Death to make any Attempt upon their Liberties; whereas in the latter, the King is perpetual General, may model the Army as he pleaſes, and it will be call'd High-Treaſon to oppoſe him.

'This Subject is ſo ſelf-evident, that I am almoſt aſham'd to prove it; for if we look through the World, we ſhall find in no Country, Liberty and an Army ſtand together; ſo that to know whether a People are Free or Slaves, it is neceſſary only to aſk, Whether there it an Army kept amongſt them? This Truth is ſo obvious, that the moſt barefac'd Advocates for an Army do not directly deny it, but qualify the Matter by telling us, that a Number not exceeding twenty or thirty Thouſand are a Handful to ſo populous a Nation as this. Now I think that Number may bring

bring as certain Ruin upon us, as if they were as many Millions, and I will give my Reaſons for it. Anno 4. Geo. 1717.

'It's the Misfortune of all Countries, that they ſometimes lie under an unhappy Neceſſity to defend themſelves by Arms againſt the Ambition of their Governors, and to fight for what's their own; for if a Prince will rule us with a Rod of Iron, and invade our Laws and Liberties, and neither be prevail'd upon by our Miſeries, Supplications, or Tears, we have no Power upon Earth to appeal to, and therefore muſt patiently ſubmit to our Bondage, or ſtand upon our own Defence; which if we are enabled to do, we ſhall never be put upon it, but our Swords may grow ruſty in our Hands; for that Nation is ſureſt to live in Peace, that is moſt capable of making War; and a Man that hath a Sword by his Side, ſhall have leaſt Occaſion to make uſe of it. Now, I ſay, if a King hath thirty Thouſand Men beforehand with his Subjects, the People can make no Effort to defend their Liberties, without the Aſſiſtance of a foreign Power, which is a Remedy moſt commonly as bad as the Diſeaſe; and if we have not a Power within our ſelves to defend our Laws, we are no Government.

'For England being a ſmall Country, few ſtrong Towns in it, and thoſe in the King's Hands, the Nobility diſarm'd by the Deſtruction of Tenures, and the Militia not to be rais'd but by the King's Command, there can be no Force levied in any Part of England, but muſt be deſtroy'd in its Infancy by a few Regiments; for what will twenty or thirty Thouſand naked unarm'd Men ſignify againſt as many Troops of mercenary Soldiers? What if they ſhould come into the Field, and ſay, You muſt chuſe theſe and theſe Men your Repreſentatives, Where is your Choice? What if they ſhould ſay, Parliaments are ſeditious and factious Aſſemblies, and therefore ought to be aboliſh'd; What is become of your Freedom? If they ſhould encompaſs this Houſe, and threaten if they do not ſurrender up their Government, they will put them to the Sword; What is become of your Conſtitution? Theſe Things may be under a tyrannical Prince, and have been done in ſeveral Parts of the World. What is it that cauſeth the Tyranny of the Turks at this Day, but Servants in Arms? What is it that preſerv'd the glorious Commonwealth of Rome, but Swords in the Hands of its Citizens?

'I will add here, that moſt Nations were enſlav'd by ſmall Armies: Oliver Cromwel left behind him but twenty ſeven Thouſand Men; and the Duke of Monmouth, who was the Darling of the People, was ſuppreſs'd with two Thouſand; nay, Cæſar ſeiz'd Rome it ſelf with five Thouſand, and fought the Battle of Pharſalia, where the Fate

Anno 4. Geo. 1. 1717.

of the World was decided, with twenty-two Thouſand: And moſt of the Revolutions of the Roman and Ottoman Empires ſince were caus'd by the Pretorian Bands, and the Court Janezaries; the former of which never exceeded Eight, nor the latter twelve Thouſand Men. And if no greater Numbers could make ſuch Diſturbances in thoſe vaſt Empires, what will double or triple the Force do with us? And they themſelves confeſs it, when they argue for an Army; for they tell us, we may be ſurpriz'd with ten or fifteen Thouſand Men from France, and having no regular Force to oppoſe them, they will over-run the Kingdom. Now, if ſo ſmall a Force can oppoſe the King, the Militia, with the United Power of the Nobility, Gentry and Commons, what would an equal Power do againſt the People, when ſupported by the Royal Authority and a never failing Intereſt that will attend it, except when it acts for the publick Good?

'We are told, this Army is not deſign'd to be made a Part of our Conſtitution, but to be kept only for a little Time, till the Circumſtances of Europe, and of this Nation in particular, will better permit us to be without them. But I would know of theſe Gentlemen, when they think that Time will be, if it is not now? We are at preſent not only at Peace with all our Neighbours, but are alſo ty'd in the firmeſt Alliance with France, formerly our moſt formidable Enemy: Shall we have leſs to fear from the Pretender to the Crown and his Friends at any Time hereafter, than at this preſent Time? Or, are we apprehenſive, leſt France will keep Treaties with us no longer than is conſiſtent with her own Intereſt? Or, that ſhe will be more capable of offending us juſt after the late tedious and conſumptive War, than many Years hereafter when ſhe has had a Breathing-Time to repair the Calamities ſhe has ſuffer'd by it? No; we can never diſband our Army with ſo much Safety as at this Time; and this is well known by thoſe Advocates for them, who are ſatisfy'd that a Continuation of them now, is an Eſtabliſhment of them for ever: For whilſt the Circumſtances of Europe ſtand in the preſent Poſture, the Argument will be equal to continue them; if the State of Europe ſhould alter to the Advantage of France, the Reaſon will grow ſtronger, and we ſhall be told, we muſt increaſe our Number. But if there ſhould be ſuch a Turn of Affairs in the World, that we were no longer in Apprehenſion of the French Power, they may be kept up without our Aſſiſtance; nay, the very Diſcontents they may create, ſhall be made an Argument for the continuing of them. But if they ſhould be kept from oppreſſing the People, in a little Time they would grow habitual to us, and almoſt become a Part of our

Conſtitution,

Conſtitution, and by Degrees we ſhall be brought to believe them not only not dangerous, but neceſſary: For every Body ſees, but few underſtand: And thoſe few will never be able to perſuade the Multitude that there is any Danger in thoſe Men they have liv'd quietly with for ſome Years, eſpecially when the diſbanding them will (as they will be made believe) coſt them more Money out of their own Pockets than to maintain a Militia. Anno 4. Geo. I. 1717.

'But we are told, that we need be in no Apprehenſion of Slavery, whilſt we keep the Power of the Purſe in our own Hands; which is very true; but they do not tell us, that he has the Power of raiſing Money, to whom no one dares refuſe it. For 'tis as certain that an Army will raiſe Money, as that Money will raiſe an Army; but if this Courſe ſhould be thought too deſperate, 'tis only ſhutting up the Exchequer, and diſobliging a few Tally-Jobbers, who have bought them for Fifty *per Cent.* Diſcount; and there will be near three Millions a Year ready cut and dry'd for them: And whoever doubts whether ſuch a Method as this is practicable, let him look back to the Reign of Charles the Second.

'But when all other Arguments fail, they call to their Aſſiſtance the old Tyrant Neceſſity, and tell us the Power of France is ſo great, and Treaties are of ſo little Force with that perfidious Nation, that let the Conſequence of an Army be what it will, we cannot be without one; and if we muſt be Slaves, we had better be ſo to a Proteſtant Prince than a Popiſh one, and the worſt of all Popiſh ones, one under the Direction of France. Now I am of Opinion, that the putting an Epithet upon Tyranny is falſe Heraldry; for Proteſtant and Popiſh are both alike; and if I muſt be a Slave, it is very indifferent to me who is my Maſter; and therefore I ſhall never conſent to be rul'd by an Army, which is the worſt that the moſt barbarous Conqueſt can impoſe upon me; which notwithſtanding we have little Reaſon to fear, whilſt we keep the Seas well guarded.

'It is certain there is no Country ſo ſituated for Naval Power as Great Britain. The Sea is our Element, our Seamen have as much hardy Bravery, and our Ships are as numerous, and built of as good Materials as any in the World: Such a Force well apply'd and manag'd, is able to give Laws to the Univerſe; and if we keep a competent Part of it well arm'd in Times of Peace, it is the moſt ridiculous Thing in Nature, to believe any Prince will have Thoughts of invading us, unleſs he propoſes to be ſuperior to us in Naval Power. For the Preparations neceſſary for ſuch an Undertaking will alarm all Europe, give both to us and our Confederates Time to arm, and put our ſelves in a

Anno 4. Geo. I. 1717.

Poſture of Defence. And whoever conſiders, that the Prince of Orange with ſix Hundred Ships brought but fourteen Thouſand Men, and the mighty Spaniſh Armado, then the Terror of the World, imbark'd but eighteen Thouſand, will be aſſur'd, that no Invaſion can be ſo ſudden upon us, but we ſhall have Time to get ready our whole Fleet, bring ſome Forces from Ireland, and prepare our own Militia if there ſhall be Occaſion for it; eſpecially in Times of Peace, when we ſhall have the Liberty of all the Ports of France, and ſhall or may have Intelligence from every one of them.

'But they tell us ſuch a Wind may happen as may be favourable to our Enemy, and keep us within our Ports; which, I ſay, as France lies to England, is almoſt impoſſible: For if we lie about Falmouth, or the Land's-End, no Fleet from Breſt or the Ocean can eſcape us without a Miracle; and if the Deſign be to invade us from any Port in the Channel, a very few Ships, which may ſafely lie at Anchor, will certainly prevent it. Nor is it to be conceiv'd, that the French will be at a vaſt Expence for the Contingency of ſuch a critical Wind, or will ſend an Army into a Country where their Retreat is certainly cut off, when the failing of any Part of their Deſign will bring a new War upon them.

'And here I muſt confeſs, that the Miſapplication of our Naval Force, which is our known Strength, for theſe ſeveral Years paſt, is the ſtrongeſt, as it is the moſt uſual Argument againſt me; which unriddles a Myſtery I did not underſtand before, tho' I never was ſo fooliſh as to believe all the Errors of that Kind were the Effects of Chance or Ignorance, or that loſing ſo many Opportunities of deſtroying the French Fleet had not ſome extraordinary, tho' occult Cauſe; and yet notwithſtanding the reſtleſs Attempts of our Enemies, and the paltry Politicks, and even Treachery of ſome preceeding Miniſters, this Fleet triumphantly defended us, ſo that our Enemies in many Years War could not get an Opportunity of invading our Country.'

'It is objected, that the Officers of our Fleet may be corrupted, or that a Storm may ariſe, which may deſtroy it all at once, and therefore we ought to have two Strings to our Bow. By which I perceive all their Fears lie one Way, and that they do not care, if they precipitate us into inevitable Ruin at Home, to prevent a diſtant Poſſibility of it from France. But I think this Phantom too may be laid by a well-trained Militia, and then all their Bugbears will vaniſh. This Word can be no ſooner out, but there's a Volly of Small Shot let fly at me: What! muſt we truſt our Safety to an undiſciplin'd Mob, who never dream'd of fighting when they undertook the Service; who are not

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Anno 4. Geo. II. 1731.

inur'd to the Fatigue of a Camp, or ever ſaw the Face of an Enemy? And then they magnify mercenary Troops; as if there was an intrinſick Virtue in a red Coat, or that a Raggamuffin from Robbing a Henrooſt, in two Campaigns, could be cudgell'd into a Hero. Tho' I muſt confeſs the Conduct of the Advocates for a Standing Army induſtriouſly enervating this Force, does in ſome Meaſure juſtify their Objections: For the deteſtable Policies of the Reigns of King Charles the Second and his immediate Succeſſor, were with the utmoſt Art and Application to diſarm the People, and make the Militia uſeleſs, to countenance a Standing Army in order to bring in Popery and Slavery; and if any Methods were propos'd to make it more ſerviceable, the Court would never ſuffer them to be debated; and ſuch Officers as were more zealous in Exerciſing their Companies than others, were reprimanded, as deſigning to raiſe a Rebellion. This Conduct was exactly imitated in the latter Part of Queen Anne's Reign, when the Militia of England was neglected and diſcountenanc'd, and that of Scotland attempted to be reduc'd to the Standard in England, by which Means that Force would have been render'd entirely uſeleſs in that Part of the Kingdom, the firſt Scene where the Enemy was to act the deſigned bloody Tragedy; and when the Army itſelf was daily more and more reform'd and modell'd to their Purpoſe of bringing in the Pretender.

'And now it ſeems ſome Men in this Reign are taking the Advantage of this traiterous Neglect and infamous Politicks, of thoſe we juſt now mention'd. But why may not a Militia be made uſeful? Why may not the Nobility, Gentry, and Freeholders of England be truſted with the Defence of their own Lives, Eſtates, and Liberties, without having Guardians and Keepers aſſign'd them? And why may they not defend theſe with as much Vigour and Courage as Mercenaries who have nothing to loſe, nor any other Tie to engage their Fidelity, than the inconſiderable Sixpence a Day, which they may have from the Conqueror?

'Why may not a competent Number of Firelocks be kept in every Pariſh for the young Men to exerciſe with on Holy-days, and Rewards offer'd to the moſt expert, to ſtir up their Emulation?

'Why may not a Third Part of the Militia be kept by Turns in conſtant Exerciſe?

'Why may not a Man be liſted in the Militia, till he be diſcharged by his Maſter, as well as in the Army, till he be diſcharged by his Captain? And why may not the ſame Horſe be always ſent forth, unleſs it can be made appear, he is dead or maimed?

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Anno 4 Geo. I. 1717.

'Why may not the private Soldiers of the Army, they are diſperſed in the ſeveral Parts of the Kingdom ſent to the Militia? And why may not the inferior Of of the Army in ſome Proportion command them?

'I ſay, theſe and other like Things may be done, ſome of them are done in our own Plantations, and Iſlands of Jerſy and Guernſey; as alſo in Poland, Sw land, and the Country of the Griſons, which are Na much leſs conſiderable than England, have as formi Neighbours, no Seas nor Fleet to defend them, nothing a Militia to depend upon, and yet no one dares at them. And we have ſeen as great Performances done merly by the Apprentices of London, and in the Wa the Vaudois in Savoy, the Miquelets in Catalonia, and Militia in Ireland, as can be paralleled in Hiſtory. A ſo it would be with us, if the Court would give their hea Aſſiſtance in promoting this Deſign; if the King would a pear in Perſon at the Head of them, and give Rewa and Honours to ſuch as deſerve them, we ſhould quick ly ſee the young Nobility and Gentry appear magnifica ly in Arms and Equipage, ſhew a generous Emulation outvying one another in military Exerciſes, and place noble Ambition in making themſelves ſerviceable to the Country.

'They object, that ſuch a Militia as this is a Standing Army, and will be as dangerous, and much more chargeable. I anſwer,

'That there can be no Danger from an Army, where the Nobility and Gentry of England are the Commanders and the Body of it made up of the Freeholders, their Sons and Servants; unleſs we can conceive that the Nobility and Gentry will join in an unnatural Deſign to make void their own Titles to their Eſtates and Liberties; and if they could entertain ſo ridiculous a Propoſition, they would not be obeyed by the Soldiers, who will have a Reſpect to him that ſend them forth and pay them, and to whom they muſt return again when their Time is expired. For if I am a Man, I will as ſurely chuſe one who will fight for me, as a mercenary Officer will chuſe one that ſhall fight for him. And the Governments of King Charles the Second and King James, are Witneſſes to the Truth of this, who debauched the Militia more than ever I hope to ſee it again, and yet durſt never rely upon them to aſſiſt their arbitrary Deſigns; as we may remember at the Duke of Monmouth's Invaſions their Officers durſt not bring them near his Army for fear of a Revolt. Nay, the Penſioner-Parliament themſelves turned ſhort upon the Court, when they expected to give them the finiſhing Stroke to our Ruin.

Anno 4. Geo. I. 1717.

'To the laſt Part of the Objection, That this Militia will be more chargeable than an Army; I anſwer, That ſince no Man propoſes wholly to lay them aſide, if we add the extraordinary Expence of maintaining twenty thouſand Men to the ordinary Charge of the Militia, it is much more than ſufficient to make the latter uſeful. But if this Objection were true, it ought not to enter into Competition with the Preſervation of our Laws and Liberties; for it is better to give a third Part of my Eſtate, if it were neceſſary, than to have all taken from me.

'And tho' it ſhould be granted, that a Militia is not as ſerviceable as an Army kept in conſtant Diſcipline, yet I believe theſe Gentlemen themſelves will confeſs, ſixty thouſand of them trained as before, are as good as twenty thouſand of their ſtanding Troops, which is the Queſtion; for it is impoſſible to have them both uſed at the ſame Time, they being as incompatible as broad and clipt Money, never current together; and therefore the Kingdom muſt depend wholly upon a Militia, or elſe it will not depend upon them at all.

'And this by the Way may ſilence that Objection, that we muſt keep our Army 'till the Militia be diſciplined; for that will never be done whilſt the Court has an Army; and the ſame Objection will be made ſeven Years hence as now; ſo that even a ſmall Army can be of no Uſe to us, but to make our Fleet neglected, to hinder the Militia from being trained, and enſlave us at Home; for they are too few to defend us againſt an Invaſion, and too many for the People to oppoſe.

'My Lord Bacon in ſeveral Places bears his Teſtimony againſt a Standing Army, and particularly he tells us, that a mercenary Army is fitteſt to invade a Country, but a Militia to defend it; becauſe the firſt have Eſtates to get, and the latter to protect.

'I believe no Author ever treated of a Free Government, that did not expreſs his Abhorrence of an Army; for, as my Lord Bacon ſays, whoever does uſe them, tho' he may ſpread his Feathers for a Time, he will mew them ſoon after.

'Perhaps it will be ſaid, that the Artillery of the World is changed ſince ſome of thoſe wrote, and War is become more a Myſtery, and therefore more Experience is neceſſary to make good Soldiers. But wherein does this Myſtery conſiſt? Not in exerciſing a Company, and obeying a few Words of Command; theſe are Myſteries that the dulleſt Noddle will comprehend in a few Weeks. Nay, I have heard that the Modern Exerciſe is much ſhorter and eaſier than the Ancient. But the great Improvements in War, are

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Anno 4. Geo. I. 1717.

in regular Encampments, Fortification, Gunnery, skilful Engineering, &c. These are Arts not to be learned without much Labour and Experience, and are as much gained in the Closet as in the Field; and I suppose, no Man will say, that the keeping Standing Forces is necessary to make a good Engineer.

'As to actual Experience in War, that is not essential either to a Standing Army or Militia, as such; but the former may be without it, and the latter gain it according as they have Opportunities of Action. 'Tis true at present the Army hath been trained up in long Wars, and hath gained great Knowledge: But these Men will not be lost when they are disbanded, they will be still in the Kingdom; and if the Parliament does give them a Gratuity suitable to the Service they have done their Country, they will be ready to resume their Arms whenever Occasion offers.

'I conclude this Subject of the Militia with this Observation, that a Standing Army in Peace will grow more effeminate by living dissolutely in Quarters, than a Militia that for the most Part will be exercised with hard Labour: So that upon the whole Matter, a Standing Army in Peace will be worse than a Militia, and in War a Militia will soon become a disciplined Army.

'But I desire to know of these Gentlemen, how come an Army necessary to our Preservation now, and never since the Conquest before in Times of Peace? Did ever the prevailing Party in the Wars of York and Lancaster, as I observed before, attempt to keep up a Standing Army to support themselves? No: they had more Sense than to sacrifice their own Liberty, and more Honour than to enslave their Country, the more easily to carry on their own Faction. Were not the Spaniards as powerful, as good Soldiers, and as much our Enemies as the French lately were? Was not Flanders as near us as France? And the Popish Interest in Queen Elizabeth's Time as strong as the Jacobite is now? And yet that most excellent Princess never dreamed of a Standing Army; but thought her surest Empire was to reign in the Hearts of her Subjects, which the following Story sufficiently testifies. When the Duke of Alanson came over to England, and for some Time had admired the Riches of the City, the Conduct of her Government, and the Magnificence of her Court; he asked her amidst so much Splendor, where were her Guards? Which Question she resolved a few Days after, when she took him in her Coach through the City, and pointing to the People (who received her in Crowds, with Acclamations) 'These, said she, my Lord, 'are my Guards; these have their Hands, their Hearts,

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' and their Purſes always ready at my Command. And theſe were Guards indeed, who defended her through a long and ſucceſsful Reign of forty four Years, againſt all the Machinations of Rome, the Power of Spain, a diſputed Title, and the perpetual Conſpiracies of her own Popiſh Subjects; a Security the Roman Emperors could not boaſt of with their Pretorian Bands, and their Eaſtern and Weſtern Armies.

' Were not the French as powerful in Charles the Second and King James's Time, as they are now, after the long and deſtructive Wars wherein they have been ſince engaged? And yet we then thought a much leſs Army than is now contended for, a moſt inſupportable Grievance; inſomuch that in Charles the Second's Reign, the Grand Jury preſented them, and the Penſioner-Parliament voted them to be a Nuſance; ſent Sir J. Williamſon to the Tower, for ſaying, ' The King might keep Guards for the Defence of ' his Perſon,' and addreſſed to have them diſbanded. And now, which is ſtrange to think, ſome Gentlemen would make their Court, by doing what the worſt of Parliaments could not think of without Horror and Confuſion.

' They ſay, the King of France was in League with our late Kings, ſo France is with us; and they would have broke it then, if they had thought it ſafe, and for their Intereſt as much as now. But they add, we have more diſaffected Perſons to join with them; which I muſt deny, for I believe his preſent Majeſty hath deſervedly as much Intereſt as any of his Prodeceſſors; and if during the latter Part of the late Reign, when the Intereſt of the Pretender was ſo much advanced by the Miniſtry itſelf, and the Friends to his Majeſty's Succeſſion affronted and diſcouraged; if during the late formidable Rebellion, which was raiſed to dethrone and murder his Majeſty, and the whole Royal Family, and to overturn the preſent Religion, Laws, and Liberties of which he is the Defender and Protector; I ſay, if at ſuch dangerous Times he had ſo many Friends, there can be no doubt but in Times of Peace, when the People reap the Fruits of that Conduct he hath ſhewn in their Defence, he will be the moſt beloved and glorious Prince that ever filled the Engliſh Throne.

' I will aſſert farther, That the moſt likely Way of bringing in the Pretender, is maintaining a Standing Army to keep him out.

' For the King's Safety ſtands upon a Rock, whilſt it depends upon the ſolid Foundation of the Affections of his People, which is never to be ſhaken 'till it is as evident as the Sun is in the Firmament, that there is a new formed Deſign to overthrow our Laws and Liberties, which I think

Anno 1. Geo. I. 1717.

we have no Reaſon to fear, when I reflect on the wiſe Proviſions his Majeſty has made againſt any future Attempts of that Kind: But if we keep a Standing Army, all depends upon the uncertain and capricious Humours of the Soldiery, which in all Ages have produced more and violent ſudden Revolutions, than ever have been known in any unarmed Governments: For there is ſuch a Chain of Dependance amongſt them, that if Two or Three of the chief Officers ſhould be diſobliged, or have Intreagues with Jacobite Miſtreſſes; or if a King of France could once again buy his Penſioners into the Court or Army, or offer a better Market to ſome that are in already, we ſhall have another Rehearſal Revolution, and the People be only idle Spectators of their own Ruin.

'And whoſoever conſiders the Compoſition of an Army, and doubts this, let him look back to the Roman Empire, where he will find out of Twenty Six Emperors, Sixteen depoſed and murdered by their own Armies. Nay, half the Hiſtory of the World is made up of Examples of this Kind: But we need not go any farther than our own Country, where we have twice kept Armies in Time of Peace, and both Times they turned out their own Maſters. The firſt under Cromwel, expelled that Parliament under which they had fought too ſucceſsfully for many Years; afterwards under General Monk, they deſtroyed the Government they before ſet up, and reſtored King Charles the Second; and he afterwards diſbanded them, leſt they ſhould have conſpired to exclude him again. The other Inſtance is freſh in every one's Memory, how King James's Army joined with the Prince of Orange, afterwards our rightful and lawful King.

'And what could have been expected otherwiſe from Men, who call themſelves Soldiers of Fortune? who having no other Profeſſion or Subſtance to depend upon, are forced to ſtir up the Ambition of Princes, and engage them in perpetual Quarrels, that they may ſhare of the Spoils they make? Such Men, like ſome Sort of ravenous Fiſh, fare beſt in a Storm; and therefore we may reaſonably ſuppoſe they will be better pleaſed with a tyrannical Government, ſuch as was that of the late King James, than the mild and gracious Adminiſtration of his preſent Majeſty.

'But farther, there is a Criſis in all Affairs, which when once loſt can never be retrived. Several Accidents concur to make the Diſbanding the Army practicable now, which may not happen again: We have a loyal and uncorrupted Parliament, and we have a Prince, whoſe Inclinations as well as Circumſtances will oblige him to comply with the reaſonable Deſires of his People. But let us not flatter ourſelves,

ſelves, this will be always ſo; for if the Army ſhould be continued, they may in Time be accounted Part of the Prerogative, and then it will be thought as great a Violation to attempt the Diſbanding them, as of the Guards in King Charles the Second's Time; it will be interpreted a Deſign to dethrone the King, and be made an Argument for the keeping them up. Anno 6 Geo. I 1719.

'But there are other Reaſons yet: The Publick Neceſſities call upon us to contract our Charge, that we may be the ſooner out of Debt, and in a Condition to make a new War if there is a Neceſſity for it: And 'tis not the keeping great Armies on foot that will enable us to do ſo, but putting ourſelves in a Capacity to pay them. We ſhould put ourſelves into ſuch Circumſtances, that our Enemies may dread a new Quarrel, which can be no otherways done, but by leſſening our Expences, and paying off the publick Engagements as faſt as we are able. For Money is the Sinews of War; but the Sinews once weakened, the Body is in a tottering Condition. A Standing Army muſt be fed, and when once without Pay, muſt live upon free Quarter; for there is no Reaſon that Men raiſed for the Service of their Country, ſhould ſtarve in it.

'In this Diſcourſe, I purpoſely omit ſpeaking of the leſſer Inconveniencies attending a Standing Army, ſuch as frequent Quarrels, Murders and Robberies; the quartering upon publick, and ſometimes private Houſes; the influencing Elections of Parliament by an artificial Diſtribution of Quarters; the rendering ſo many Men uſeleſs to Labour; with a greater Deſtruction of them, by taking them from a laborious Way of living to a looſe idle Life; and beſides this, the Inſolence and Debaucheries that are committed in all the Towns they come in, to the Ruin of Multitudes of Women, Diſhonour of their Families, and ill example to others; and a numerous Train of Miſchiefs beſides, almoſt endleſs to enumerate.

'If the Parliament give the beſt King a Standing Army, the worſt King ſhall hereafter claim and have it.

'The Advocates for a Standing Army tell us, That tho' the Words, 'By being annexed to the Crown, and ſo 'becoming a Prerogative, could not be parted with, which 'was the Cauſe of the long Continuance of that Miſchief, 'after it was known and felt to be ſo; yet all this is cur'd 'by making the Act temporary, and ſettling a Standing Army only for a certain Number of Years.'

'To this I anſwer, that ſucceeding Princes, if they find an Army, will keep it, and will not trouble themſelves whether the Law be temporary or perpetual. A plain Inſtance we have of this in the Cuſtoms; for tho' Tunnage and Poundage,

Anno 6. Geo. 1. 1719

dage, and the other Impoſitions, are a Subſidy and free Gift, and the King's Anſwer to the Bill thanks the Subjects for their good Will; and tho' Parliaments have alway us'd ſuch Cautions and Limitations in thoſe Grants as might prevent any Claim, and heretofore limited them to a ſhort Time, as for a Year or two; and if they were continued longer, they have directed a certain Space of Ceſſation or Intermiſſion, that ſo the Right of the Subject might be the more evident; at other Times, they have been granted upon Occaſion of War for a certain Number of Years, with Proviſo, that if the War were ended in the mean Time, then the Grant ſhould ceaſe, and of Courſe they have been ſequeſtered into the Hands of ſome Subjects for the guarding of the Seas. Notwithſtanding all this, tho' the Parliament ſo carefully granted their Grants, yet King Charles the Firſt took the Subſidy, without any Grant at all, for ſixteen Years together; tho' ſeveral Parliaments in the mean Time forbad the Payment of it, and voted all thoſe to be publick Enemies that did not refuſe it. The like did his Son, the late King James, 'till his Parliament gave it him: And in his firſt Speech to them he demanded it as his own, by the Name of, 'My Revenue;' and why then ſhall not another Prince come and ſay the ſame, 'Give me my Army,' if he ever have a Parliament to aſk? To limit a Prince with Laws, where there is an Army, is to bind Sampſon with his Locks on.

'In all Ages and Parts of the World, a Standing Army has been the never failing Inſtrument of enſlaving a Nation.

'The very Reputation of a Force to back them, will make all Court Propoſals ſpeak big, tho' ever ſo contrary to the Intereſt of the Nation; For there is no debating nor diſputing againſt Legions. It will tempt them to do many Things they durſt not otherways think of: What is much out of our Reach, is rarely the Object of our Thoughts. But the Facility of Execution is generally the firſt Motive to an Attempt. Now 'tis abundantly the Intereſt of Court Flatterers to live under a corrupt Reign: Then Bribes and Confiſcations fill their Coffers. No Man's Wife or Daughter is free from their Luſt, or Eſtate from their Avarice. They extort Preſents from the Nobility, Goods from the Tradeſmen, and Labour from the Poor. In ſhort, all is their own. And 'tis to be feared, theſe Gentlemen, unleſs they have more Virtue than uſually falls to their Share, will put Princes upon ſuch Councils as promote their own Advantage. They will tell them, how mean it is to be aw'd by a few Country Gentlemen, when all the Kings of Europe beſides are got out of Pupilage, as Lewis the Eleventh

enth called it. They will fill their Heads with a thouſand rifling Jealouſies of Monſters, Commonwealths, and ſuch ke Bugbears: And it hath been difficult even for the viſeſt of Princes to free themſelves from this Sort of Cattle. Nothing but the Fear of Puniſhment, and the being made a acrifice to the Peoples juſt Revenge, can make ſuch Men oneſt. But if they have an Army to protect them, under tyrannical Prince, all theſe Conſiderations will be laid ſide, and all Arguments will be anſwered in a Word, The King has an Army, which will cut off all Reply. The King has an Army will be a confuting Anſwer to eve-y Thing, but a better Army, which, Thanks be to God, nd the late King William, we once found at the happy Re-olution. But as we are not to live upon Miracles, ſo we re not to tempt Dangers.

Anno 4. Geo. 1. 1717.

' I have ſtay'd the longer upon this Point, in ſhewing ow inconſiſtent an Army, under a bad Prince I always ean, is with the Freedom of Parliaments, becauſe they ing the Keepers of our Britiſh Liberties can ill perform at Office when they have parted with their Power into her Hands. They are the laſt Reſort of the Subject for e Redreſs of their Grievances: But how ſhall they relieve o-ers from the Oppreſſion and Inſolences or the Soldiery, when rhaps they ſhall be ſubject to the like themſelves? The ojectors are aware of this terrible Inconvenience, and erefore they have this Expedient, That it ſhall be the ing's Army, but the Parliament ſhall have the Paying of em; whereby they ſhall in all future Times be as much e Parliament's humble Servants, as the Parliament their oper Maſters.

' Much at one I believe: For the Long Parliament had t ſuch a King and Parliament Army as this, but an Ar-y that was all their own; their Creatures, raiſed, liſted, mmiſſioned, and paid wholly by themſelves, and not in rtnerſhip, and that had manfully fought all their Battles: nd yet, upon the firſt Diſtaſte they were pleaſed to take, ey diſtreſſed their own Maſters, and with an high Hand rced them to baniſh eleven of their principal Members, enzil Holles, Sir Philip Stapylton, Glyn and ſuch other eat Men. Sir Philip Stapylton dyed in his Baniſhment. t another Time they would not ſuffer near an hundred embers to enter into the Houſe, whom they thought not ll affected to the Buſineſs then it Hand: And at the ſame me evilly intreated and impriſoned about forty Members: his they called Purging the Houſe. After they had thus ndled them at ſeveral Times, in Concluſion, the Officers me and reprimanded the Houſe, bid them take away ir Fool's Bauble, the Mace, violently pulled the Speaker

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Anno 4. Geo. I. 1717.

out of the Chair, drove out the Members, and lock the Doors, and ſo Good Night to the Parliament. Wiſdom of that Parliament was ſaid to be very gr their own Party, but it was Nonſenſe for them to that an Army does not know its own Strength: Fo out dear bought Experience, any Body may know hand, what will be the natural Conſequences of a S Army, in the Caſe above ſuppoſed of a bad Prince. may poſſibly happen in ſome future Ages, tho' in have a long and glorious Proſpect of a better Fate Kingdoms. It will be the Conqueſt of the Nation ſilenteſt, ſhorteſt and ſureſt Way. They will be able poſe of Men's Lives and Eſtates at Will and Pleaſure what can a foreign Conqueror do more? If after th Subjects live and poſſeſs any Thing, it will be b they let them; and how long that ſhall be, no knows.

'Nay, in many Reſpects an authorized Standing may prove far worſe than a foreign Invaſion, and a queſt from abroad: For there we have a Chance for i this would be a Conqueſt in cold Blood, which migh be reſiſted. And thus we ſhould loſe the inſeparable R of the Conquered, which is to reſcue and deliver themſ and to throw off the Yoke as ſoon as they can.

'It would likewiſe be a great Aggravation of their ſery to be enſlaved at their own Coſt and Charges: B the bitter Reſentments of Unkindneſs and Breach of T if it be done by thoſe who ought to protect us, and pr better for us, at leaſt ſhould not leave us in a worſe dition than they found us. But above all, if we com to this Thraldom by our Folly, Flattery and little feiſ- ing: If the Deſtruction of our Poſterity be of ourſe that Reflection hereafter, when we come to foreſee the Conſequences that are yet hid from the Advocates f Standing Army, will have a Sting in it; and it will then be enough to ſay, Who would have thought it?

'Governments have their Infancy, their Meridian, their Decay. But the Deſtruction of ours is more to be prehended from ourſelves than from a foreign Enemy.

'That unleſs we have an Army to lye Liegers, we liable to be over-run by a foreign enemy e'er we are a is a Thought that could not poſſibly eſcape our Forefa yet we cannot learn that ever they put it in Practice, w is a great Sign they did not like it. No, we are wel ſured, that they would not have ſuffered a Standing A to defend the Nation, if they would have done it grat

'But what ſignify the Proceedings of former Ages to ſay ſome Gentlemen, the World is ſtrangely altered,

the Power of France is become ſo formidable, that it can never be oppoſed in the Elizabeth Way. They ſtill keep up a great Army, and how ſhall we defend ourſelves againſt them, if they think fit to break Treaties with us, and aſſiſt the Pretender to invade us, without an Army of twenty or thirty thouſand diſciplined Troops? Anno 4 Geo. I. 1717.

'But that we may for ever lay this Gobblin, we will admit our Fleets to be kidnapped by an unlucky Wind, whilſt the French land twenty thouſand Men in our Country. Tho' in Gratitude for this Conceſſion, I hope my Adverſaries will grant that their Fleet cannot get back again without our meeting with them, ſince the ſame Wind that carries them home will carry us out, or if they will not be ſo good natured as to allow this, I will undertake for them, for we live in an Undertaking Age, that they will agree we ſhall intercept their Supplies. Then the Caſe is thus, that twenty thouſand Men, of which few can be Horſe, are landed in England without any human Poſſibility of being ſupply'd from abroad.

'I ſay, this Army ſhall never march twenty Miles into the Country, for they cannot put themſelves in a marching Poſture in leſs than a Fortnight or three Weeks; and by that Time we may have an hundred thouſand Militia drawn down upon them, whereof ten thouſand ſhall be Horſe, and as many Dragoons as we pleaſe: And if this Militia does nothing elſe but drive the Country, cut off their Foragers and Straglers, poſſeſs themſelves of the Defiles, and intercept Proviſions, their Army muſt be deſtroyed in a ſmall Time. Neither will domeſtick Enemies, the Favourers of the Pretender, be able in the mean Time to give us much Diſturbance; for by the prudent Care the preſent Government has already taken, and 'tis hoped will take for the future, theſe Malecontents can never be in a Condition to make any Head, or contribute the leaſt Aſſiſtance to a foreign Enemy.

'Of this Kind I could give many Inſtances out of Hiſtory; but I will give you a late one out of Ireland.

'Firſt, I think it will be readily agreed, that there are ten Men in England for one in Ireland.

'Secondly, That King William had more Engliſh and Scots to join with him in Ireland than there are Malecontents in England.

Thirdly, That our Militia have as much Courage as the Iriſh: And yet, tho' we had eight thouſand Horſe, and above thirty thouſand Foot in Ireland, and a great Part of of the Country in our Poſſeſſion, we were more than four Years in conquering the reſt, and almoſt a Miracle we did it then. And I believe no Man will deny, if we could

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not have ſupply'd our Army from England, but they had all there periſhed; ſuch is the Advantage of fighting upon one's own Dunghil.

'And to ſhew what Treatment the French would be like to meet with in England, I will put you in mind of the Purbeck Invaſion, which was ſo private, that it was ſeen only by an old Man and a Boy: And yet tho' the Country thought the Government againſt them, we had above forty thouſand Volunteers in Arms in two or three Days time, who came thither on their own Accord to give them the Meeting; and if they had been there, I doubt not would have given a good Account of them. Our Court, when it was over, ſhewed their Diſlike of it, and queſtioned the Sheriff of Dorſetſhire about it. And tho' we have forgot it, yet I believe the French will remember Purbeck; for it ſhewed the true Spirit and Genius of the Engliſh Nation.

'But the Policy of France having now aſſumed a quite different Face ſince the Death of Lewis their late King, whoſe aſpiring Temper gave ſo much Uneaſineſs to all Europe, all Arguments and Pretences for a Standing Army, that are drawn from any Views of a Breach with that Kingdom, are intirely cut off by this one Conſideration.

'Indeed, moſt of the Reaſons theſe Gentlemen advance to enforce their Deſign, (and which without this additional Confutation, we have already ſufficiently repelled) as they were chiefly made uſe of by the ſame Set of Men, in the Reign of the late King William, when the Nation with one Voice, as it were, declared for the diſbanding of the Army after the Peace; ſo the Circumſtances of thoſe Times added a great deal of Weight to the ſame, and the Diſpute on both Sides was then managed with ſo much Strength of Argument, as well as Wit and Art, that it was not an eaſy Matter for the beſt Judgment to decide the Caſe juſtly, ſo as neither the Safety of the Nation, or the Liberties and Eaſe of the People from heavy Taxes might ſuffer by it.

'And yet, notwithſtanding all the ſeeming ballancing Difficulties that were then obvious from the reducing the Forces, the Wiſdom of the King and his Parliament thought fit to over-rule the Matter, and to give their Determination on the other Side. So that allowing the Projectors Arguments to carry with them the ſame Force and Energy now that the ſame had then, yet they ought in good Manners to yield up the Cauſe, becauſe after the moſt obſtinate, nice, and ſubtile Controverſy and Debate by the wiſeſt Heads

Heads of the Nation, the moſt impartial Deciſion of a Parliament has given their Authority againſt them. Anno 4. Geo. I. 1717.

'But will any Man pretend to affirm, that an Argument relating to the Policy of a Commonwealth, is at all Times ſupported with equal Reaſon and Neceſſity? What Abſurdities and Contradictions muſt needs be the Conſequences of ſuch a ridiculous Aſſertion?

'It may be averred with the like Parity of Reaſon, that our Monarchs ought always to keep Garriſons in moſt of the Cities, Towns and Caſtles of England, becauſe William the Conqueror found it abſoluely neceſſary to do ſo, for the ſecuring of his new-gained Kingdom. No: there is nothing within the Compaſs of State Policy that is not as changeable as the Weather and the Seaſons of the Year, and thoſe Alterations are as neceſſary to the Preſervation of the political Oeconomy, as theſe are to the Body Natural: And there is nothing unalterable in the Nature of a Government, but that which is its very Eſſence, the fundamental Laws of its Conſtitution, which cannot be changed or removed without the Overthrow and Deſtruction of the whole Building.

'Now as to the particular Point in Debate. We are to conſider the French Affairs and Circumſtances in a quite different Light, at preſent, from the Appearances theſe had in the Reign laſt mentioned.

'It is true, King William did not a little contribute by his heroick Courage and Conduct, to humble the Pride of that common Enemy of Europe, who aimed at no leſs than an univerſal Conqueſt; but the victorious Confederate Army in the laſt War, had brought him even to the Brink of Ruin, and would certainly have diſabled that State from even a Poſſibility of raiſing its Head, or of giving any Annoyance to his Neighbours, had not our Miniſtry of the late Reign been too eaſily circumvented and bribed by French Policy and French Gold, to make a moſt inglorious and diſhonourable Peace with that Nation.

'However, the diſmal Effects of the late War ſat ſo heavy upon them, that theſe were a Clog and Hinderance to all that King's ambitious Projects and Deſigns, who was content to hold what he had preſerved from a raging, unfortunate and deſtructive War, without running the Hazard of any future Attempts.

'But beſides the miſerable State of that Kingdom, occaſioned by the War, we are preſented with an entire new Proſpect of their Affairs ſince that King's Death; and they have their Hands too full at Home, to be meddling with their Neighbours. Every Body knows what domeſtick Heats and Quarrels they have among themſelves at preſent,

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by which they are brewing a great deal of Miſchief to the whole Kingdom, and which muſt neceſſarily determine in the Deſtruction of one of the Parties. The Affair of the Succeſſion to the Crown of France, about which great Part of that Kingdom is already divided againſt the other, may produce as much Noiſe, Wars and Bloodſhed as did lately that of Spain: And Great Britain being likely to have a conſiderable Share, ſome Time or other, in deciding the former as well as it had in the latter, which was the Ground of the late War, it is the Intereſt of both Kingdoms to carry fair with us. But it being ſtipulated as one of the grand Conditions and Articles of the Peace that Philip ſhould renounce his Pretenſions to the French Crown, and he having accordingly ſolemnly done ſo, it is evident whom we are to ſide with, if the Matter ſhould come to be diſputed. And this is the Foundation of the tripartite Alliance, Offenſive and Defenſive, lately concluded between Great Britain, France, and Holland, which makes ſo great a Noiſe in the World, and by which we ſeem to be infallibly quieted and ſecured from all Fears of any Diſturbance from abroad.

'But theſe Gentlemen, when all their other Arguments are refuted, betake themſelves to their laſt Refuge, which they are perſuaded can never fail them, and that is the Diſcontents and Diſaffection of the Pretender's Party, who only wait a freſh Opportunity by raiſing a new Rebellion to reſtore their King, and revenge their late bad Succeſſes.

'I can aſſure theſe Gentlemen, that tho' I argue againſt a Standing Army, and tho' the Jacobites may perhaps be of the ſame Opinion, yet I am no Friend to the Pretender, but believe myſelf as firmly attached to the Proteſtant Succeſſion, and the Intereſt of the preſent Government, and as great an Admirer of his Majeſty's Conduct and Perſonal Virtues, as any of them all. But nevertheleſs, I hope no Man will diſcover himſelf ſo void of good Senſe, as to imagine that it is Treaſon to entertain any Notion in common with that Party. And notwithſtanding they may vainly apprehend, that ſome Advantage will accrue to their Intereſt by diſbanding the Army, this does not in the leaſt incline me to the Opinion of the other Side.

'Beſides, I do not doubt but even theſe Malecontents will make greater Uſe of the Army, ſuppoſing it impoſſible to draw them off to their Side, by repreſenting in ill Colours their Behaviour in thoſe Parts where they are placed, in Hopes to gain Numbers to their Diſaffection. And this is the more certain, if we conſider that their firſt Manifeſto's were full of the Grievances of an Army, even before any Army was in Being: Such a prevailing Addreſs did

did they think this Argument to the Reſentments of Engliſhmen. Nor do we find they have been more ſilent upon this Subject, ſince the Rebellion has been ſuppreſſed. What Noiſe have we heard of the Riot at Oxford? And of the other little Diſorders of the Soldiery, in the ſeveral Parts of the Kingdom? And this has not been without its Effect; for many, who were good Subjects to his Majeſty, have talked warmly on this Head, being jealous of their Liberties, who otherwiſe would not have wavered in their Reſpect to the preſent Government. How far therefore the Favourers of the Pretender may carry their Succeſs, by inſiſting on the farther Effects of an Army, eſtabliſhed by Law, who certainly cannot commit fewer Outrages, is not difficult to imagine. Anno 4. Geo. I. 1717.

'In ſhort, the whole Management of this Project of a Standing Army is ridiculous; but the fatal Conſequences of it require deeper Thought. For when we have fooled out ourſelves into the Bondage of a Standing Army, how ſhall we ever get out of it again? Not as the Nation freed themſelves from the Court of Wards. We cannot buy it off, for two very good Reaſons: No Money will be taken for it; and we ſhall have nothing to give which is not theirs already; our Eſtates, Lives and Liberties will be all at their Command.

'The Prince of Orange's Declaration is directly againſt a Standing Army, as a Means to aſſiſt all arbitrary Deſigns, and thereby enſlave the Nation; directly againſt all wicked Attempts of Conqueſt, and all deſpotick Government, 'tis full of Liberty and Property in every Part. And his preſent Majeſty, who is endowed with the ſame generous and heroick Temper, has given undeniable Proofs of the ſame gracious Inclinations; we may reaſonably ſuppoſe that the wiſeſt of Kings, in Conjunction with the beſt of Parliaments, will, in this important Affair, diſcover the ſame Sentiments with our glorious Deliverer, to whom we principally owe our preſent Happineſs. That Declaration was ſo highly valued, and ſo wholly relyed upon by the Parliament then, that it is incorporated into our Laws, as the only Redreſs of our paſt Grievances and Oppreſſions, and the beſt Foundation of our future Happineſs: And with intire Confidence that his Majeſty King William would continue to act in Purſuance of that Declaration, the Parliament reſolved that he ſhould be elected and declared King; ſo that it is to be accounted the *Pacta Conventa* of the Government.

'Here I know ſome will ſay, that the Army condemned by the Declaration, was the late King James's Army kept up in Time of Peace without Conſent of Parliament; whereas

Anno 4. Geo. I. 1717.

whereas this Standing Army is to be kept up with their Conſent.

'True it was ſo, and therefore, it was a Riot and unlawful Aſſembly every Hour it ſtood; and having no Law for it, it might have been preſented or indicted; to no Purpoſe indeed: But as an Invaſion upon the Subject, it might be reſiſted and pull'd down as a Nuſance, whenever the Nation found themſelves able. But ſuppoſe this Army had been made Part of the Conſtitution, and had obtain'd an Act of Parliament for it, what then had been become of us? They were Aids and Inſtruments of Arbitrary Government before, but then they had been legal Inſtruments, and had enſlav'd us by Authority. In ſhort, we could not have reliev'd ourſelves from them, nor any one elſe in our Behalf, becauſe our own Act and Deed would have always been good againſt us.

What I have ſaid againſt Standing Armies, I would be underſtood of ſuch as are the Inſtruments of Tyranny, and their Country's Ruin, and therefore I need make no Apology to our own, which next unto God, have by their Bravery and Conduct preſerv'd our Liberties and the Proteſtant Religion thro' Europe, and have ſo lately delivered their Nations from the unnatural Deſigns and Attempts of their Fellow-Subjects to dethrone his preſent moſt gracious Majeſty, who is the Guardian of our Laws and Privileges, and to introduce Arbitrary Power. For if in future Reigns any Deſigns ſhould be levell'd againſt our Laws, we may be aſſur'd theſe Men would be diſcarded, and others promoted in their Rooms, who are fit for ſuch Arbitrary Purpoſes.

'Nor do I think it reaſonable that our Army ſhould be ruin'd by that Tranquility and Peace, which, by their Courage and Fidelity, they have procur'd for their Country; and I doubt not but the Generoſity and Gratitude of the Parliament will give them a Donative equal to their Commiſſions, which will amount to no extraordinary Sum, at leaſt, it will be an eaſy Compoſition for the Charge of keeping them.

'But if there are any Gentlemen who think we can no otherwiſe expreſs our Gratitude, but by ſigning and ſealing our Poſterity's Ruin, I hope we ſhall diſappoint their Expectations, and not give the World occaſion to tell ſo fooliſh a Story of us. They know very well, an Army has nothing in it ſo charming that could induce the Nation to raiſe one, but upon ſome preſſing Neceſſity, and not to keep them up perpetually; nor can the Service perform'd be ever ſo great, as not to be requited under ſuch a Return.

'To conclude: The Honour and Safety of the Nation is the commendable Deſign; and ſo far as any Side is for that,

that, it is certainly in the Right, ſince all Countries muſt have ſome Force to defend them againſt foreign Invaſions and domeſtick Tumults; for as it was their own Good and Security which occaſion'd Men firſt to quit the State of Nature, and to aſſociate themſelves into Governments; ſo the Raiſing and Regulation of their Forces muſt be directed and accommodated to the ſame Ends. An Iſland is beſt ſituated for Preſervation, as having need of little other Force either to infeſt foreign Coaſts, or to protect its own, beſides a numerous Fleet, which it need never want. But if it be likewiſe a Government for Increaſe, ſuch as ours, its Situation naturally leading to Trade and planting of Colonies; and if it has the noble Ambition of holding the Balance ſteddy between other Governments, of ſuccouring the Diſtreſs'd, and grudging Liberty to none, then it muſt be always provided with a conſiderable Land-Force. Of this there is no Diſpute. Then the only Queſtion is, Whether it be ſafer to truſt Arms continually in the Hands of idle and needy Perſons; or only, when there is Occaſion for it, in the Hands of ſober and induſtrious Freemen. That the latter can never be dangerous to our Liberty and Property at Home, and will be infinitely more effectually againſt an Enemy attacking, or invaded by us, I think I have ſufficiently proved both by Reaſon and Experience. But that the former may hereafter prove of the worſt Conſequence, is a Truth equally undeniable, and therefore I muſt declare I am for 12,000 Men only.'

Anno 4. Geo. I. 1717.

A

LIST

OF THE

MEMBERS

Who VOTED for the

BILL

FOR

Repealing the Triennial Act, And making PARLIAMENTS *Septennial*, April 24, 1716.

[See VOL. I. p. 68.]

N. B. *Thoſe with a* * *Voted* Anno 1734, [See Vol. III. p. 137.] *for repealing the Septennial* ACT, *and reſtoring* PARLIAMENTS *to a Continuance of Three Years only.*

Thoſe with a † *Voted* Anno 1734, *againſt the Repeal of the Septennial* ACT.

ABERCROMBY Alexander, Captain of Foot. *Shire of Banff.*

Addiſon Joſeph, Eſq; a Commiſſioner of Trade. *Malmeſbury.*

Aiſlabie John, Eſq; Treaſurer of the Navy. [*See Vol. I. p.* 236.] *Ripon.*

Anno 2. Georgii I. 1716.

Aland John Forteſcue, *(a)* Eſq; his Majeſty's Sollicitor General. *Midhurſt.*
Allanſon Charles, Eſq; Clerk of the Bankrupts under the Lord Chancellor. *Weſtbury.*
Anſtruther Sir John, Bart. *Shire of Fife.*
† Anſtruther Philip, Colonel in the Foot Guards. *Burghs of Crail, &c.*
Aſhburnham Sir William, Bart. Chamberlain of the Exchequer. *Seaford.*
† Aſhe Edward, Eſq; Clerk of the Ordnance. *Heyteſbury.*
Aſhe William, Eſq; *Heyteſbury.*
Aſhurſt Sir Henry, Bart. *Windſor.*
Aſtley Sir Jacob, Kt. Commiſſioner of Trade. *Norfolk.*
Aylmer Matthew, Eſq; Admiral and Governor of Greenwich-Hoſpital. *Dover.*

† Bacon Waller, Eſq; *Norwich.*
Bailie George, Eſq; a Commiſſioner of the Admiralty. *Shire of Berwick.*
Baird John, *jun.* Eſq; Commiſſioner of the Equivalent. *Shire of Edinburgh.*
Banks Joſeph, Eſq; *Grimſby.*
Barlow John, Eſq; *Haverford Weſt.*
Bateman Sir James, Kt. Sub-Governor of the South-Sea Company. *Eaſtlow.*
Bell Ralph, Eſq; *Thirſk.*
Bellamy William, Eſq; Auditor to the Dutchy of Lancaſter. *Ilcheſter.*
Benſon William, Eſq; *Shaftesbury.*
Bere Thomas, Eſq; Commiſſioner of the Victualling-Office. *Tiverton.*
* Bigg John, Eſq; *Huntingtonſhire.*
Birch John, Serjeant at Law, and a Commiſſioner of the Forfeited Eſtates. [*See Vol. II. p.* 238.] *Wembley.*
Biſſe Stephen, Eſq, Commiſſioner of the Equivalent. *Bedwin.*
Blackiſton Col. Nathaniel. *St Michael.*

Blundell

(a) Appointed a Baron of the Exchequer, Jan. 27, 1716-17, *and made a Juſtice of the King's-Bench, May* 15, 1718, *but ſuperſeded upon his preſent Majeſty's Acceſſion, and afterwards made a Judge of the Common-Pleas upon the Death of Spencer Cowper, Eſq.*

Blundell Sir Montague, Bart. *(b)* — *Haſlemere.*
Bond Dennis, Eſq; Letter-Carrier to the Government, and a Commiſſioner of the Forfeited Eſtates. [*See Vol. II. p.* 238.] — *Corfe-Caſtle.*
Boſcawen Rt. Hon. Hugh, Eſq; *(c)* Comptrolier of the Houſhold, and Warden of the Stannaries. — *Penryn.*
Boteler John, Eſq; one of the Commiſſioners of the Equivalent. — *Hertford Town.*
Brace John Thurloe, Eſq; — *Bedford.*
Braddyl Doddington, Eſq; — *Lancaſter Town.*
† Bradſhaigh Sir Roger, Bart. — *Wigan.*
Bray William, Captain of Horſe. — *Monmouth Town.*
† Bridges George, Eſq; — *Wincheſter.*
† Bridgman Sir Orlando, Bart. Clerk of the Green-Cloth to the Prince. — *Calne.*
† Briſtow Robert, Eſq; a Commiſſioner for Stating the Debts due to the Army. — *Winchelſea.*
Britiffe Robert, Eſq; — *Norwich.*
Broderick Thomas, Eſq; — *Stockbridge.*
Broughton Sir Brian, Bart. — *Newcaſtle in Staffordſhire.*
† Brudenel Hon. James, Eſq; Maſter of the Jewel-Office. — *Andover.*
Brownlow Sir John, Bart. *(d)* — *Lincolnſhire.*
Burridge John, Eſq; — *Lyme Regis.*
Byng Sir George *(e)*, Kt. a Commiſſioner of the Admiralty. — *Plymouth.*

† Campbell John, Eſq; Groom of the Bed-Chamber to the Prince, and Captain of the Foot Guards. — *Burghs of Elgin, &c.*
† Campbell Sir James, Bart. Governor of Stirling-Caſtle. — *Shire of Argyle.*

(b) Created Viſcount Blundell, and Baron of Edenderry in Ireland, Auguſt 5, 1720.

(c) Created Viſcount Falmouth and Baron Boſcawen Roſe, June 8, 1720. *Afterwards appointed a Privy-Counſelior, made Joint Vice Treaſurer, and Pay-Maſter of Ireland.*

(d) Created Viſcount Tyrconnel, and Baron Brownlow of Ireland, May 14, 1718; *and made a Knight of the Bath upon a Revival of that Order, May* 27, 1725.

(e) Created Viſcount Torrington, and Baron Byng, Sept. 9, 1721. *Afterwards appointed Commander in Chief of his Majeſty's Fleet, and a Privy-Counſellor, and Knight of the Bath.*

2. Georgii I. 1716.

† Campbell Hon. John, Eſq; Surveyor of the King's Works in Scotland. *Shire of Dunbarton.*

† Campbell Daniel, Eſq; *Burghs of Glaſgow, &c.*

Carberry Lord. *Weſtbury.*

Carew Sir Nicholas, Bart. *Haſlemere.*

Carpenter General, Colonel of Horſe *(f)*. *Whitchurch.*

Carter Laurence, Eſq; *(g)* Solicitor-General to the Prince. *Boralſton.*

Cartwright Henry, Eſq; made a Commiſſioner of the Victualing-Office. *Boſſiney.*

Cater John, Eſq; *Bedfordſhire.*

* Cavendiſh Lord James. *Derby Town.*

Chandler Richard, Eſq; *Lymington.*

* Chetwynd John, Eſq; one of the Commiſſioners of Trade. *St Mawes.*

* Chetwynd Walter, Eſq; *(h)* Ranger of St James's Park. *Stafford Town.*

Chetwynd William, Eſq; *Stafford Town.*

Child Sir Richard, Bart. *(i)* *Eſſex.*

Cholmely Hugh, Eſq; Surveyor-General. *Heydon.*

† Churchill Charles, Eſq; Colonel of Dragoons. *Caſtle-Riſing.*

Churchill William, Eſq; Stationer to his Majeſty. *Ipſwich.*

† Clerke Sir Thomas, Kt. *Hertford Town.*

† Clayton William, *(k)* Eſq; *Blechingley.*

* Cockburn John, Eſq; one of the Commiſſioners of Trade. *Shire of Haddingtoun.*

* Cocks James, Eſq; *Ryegate.*

Colepepper Sir Thomas, Bart. *Maidſton.*

Compton Hon. Spencer, *(l)* Eſq; Speaker, Treaſurer to the Prince. *Suſſex.*

Coningſby

(f) Created Baron Carpenter of Ireland, May 4, 1719. Afterwards appointed a Lieutenant General, Colonel of a Regiment of Dragoons, and Governor of Minorca.

(g) Appointed a Baron of the Exchequer, Nov. 4, 1726.

(h) Created Viſcount Chetwynd, and Baron of Rathdown in Ireland, June 1, 1717.

(i) Created Viſcount Caſtlemain, and Baron of Newtown, April 17, 1718, and now Earl of Tylney in Ireland.

(k) Created a Baronet.

(l) Created Baron of Wilmington, Jan. 11. 1727-8, being at that Time Pay-Maſter General of his Majeſty's Forces, and of Chelſea-Hoſpital, a Privy-Counſellor, and Knight of the Bath.

Coningſby Lord Viſcount. *(m)* — *Leominſter.*
Cook Sir Charles, Kt. Alderman of London, and Commiſſioner of Trade. — *Grampound.*
Corbet Sir Robert, Bart. — *Salop County.*
Corbet Andrew, Eſq; — *Salop Town.*
Cornwall Charles, Eſq; — *Weobley.*
Coventry William, Eſq; — *Bridport.*
Cowper Spencer, Eſq; Attorney-General to the Prince. — *Truro.*
Craggs James, *jun.* Eſq; Cofferer to the Prince. — *Tregony.*
Cunningham Sir James, Bart. — *Shire of Linlithgow.*
Cunningham Henry, Eſq; Commiſſary General of the Muſters in Scotland, and a Commiſſioner of the Forfeited Eſtates. — *Burghs of Inverkithen, &c.*

D'Aeth Thomas, Eſq; *(n)* — *Sandwich.*
Dalrymple Sir David, Bart. Lord Advocate for Scotland — *Burghs of Haddingtoun, &c.*
Daines Sir William, Kt. — *Briſtol.*
Darcy Conyers, Eſq; *(o)* one of the Commiſſioners for executing the Office of Maſter of the Horſe and Avener. — *Newark.*
Deacle John, Eſq; — *Eveſham.*
Delaval Francis, Eſq; — *Northumberland.*
Delaval George, Eſq; Rear-Admiral. — *Weſtlow.*
Denton Alexander, Eſq; *(p)* his Majeſty's Council at Law, and Attorney-General of the Dutchy of Lancaſter. — *Buckingham Town.*
Desboverie Jacob, Eſq; — *Hythe.*
Diſton Joſiah, Eſq; — *Devizes.*
Docminique Paul, Eſq; a Commiſſioner of Trade. — *Gatton.*
Doddington George, Eſq; a Commiſſioner of the Admiralty. — *Bridgewater.*

Dowdeſwell

m) *Created Baron Coningsby in Lincolnſhire, June 25, 1716, and Earl Coningsby, April 30, 1719.*
n) *Created a Baronet.*
o) *Appointed Maſter of his Majeſty's Houſhold, Lord Lieutenant of the North Riding of Yorkſhire, afterwards created Knight of the Bath.*
p) *Appointed a Judge of the Common-Pleas, June 24th, 1722.*

Anno 2. Georgii 1. 1716.

Dowdeſwell William, Eſq;	*Tewksbury.*
Douglaſs William, Eſq; Captain of Foot.	*Shires of Kinroſs and Clackmannan.*
Douglaſs Hon. Col. George.	*Burghs of Selkirk, &c.*
† Drake Sir Francis Henry, Bart.	*Taviſtock.*
Ducane Richard, Eſq;	*Colcheſter.*
Dunch Edmund, Eſq; Maſter of the King's Houſhold.	*Wallingford.*
† Edgecumbe Richard, Eſq; a Commiſſioner of the Treaſury	*Plympton.*
Egerton Hon. William, Eſq; Col. of Foot.	*Brackley.*
Erle Rt. Hon. Thomas, Lieutenant General of the Ordnance, and Governor of Portſmouth.	*Wareham.*
† Erle Giles, Eſq; Captain of Horſe. [*See Vol. III. p.* 105.]	*Chippenham.*
Ernle Sir Edward, Bart.	*Portſmouth.*
Evelyn George, Eſq;	*Blechingly.*
Eyles Francis, Eſq; Director of the South Sea Company. [*See Vol. I. p.* 230.]	*Devizes.*
† Eyles Sir John, Bart. a Director of the Bank, and Commiſſioner of the forfeited Eſtates. [*See Vol. II. p.* 239.]	*Chippenham.*
Eyre Giles, Eſq;	*Downeton.*
Farrer William, Eſq; Maſter of St. Catherine's in the Tower.	*Bedford.*
Farrington Sir Richard, Bart.	*Chicheſter.*
Ferguſon Alexander, Eſq;	*Burghs of Dumfries, &c.*
Ferrers Brigadier Thomas, Col. of Foot.	*Pembroke Town.*
Fielding Hon. William, Eſq; Clerk of the Green Cloth.	*Caſtlerising.*
Fitz-Williams John, Lord Viſcount.	*Peterborough.*
Forbes John, Eſq;	*Shire of Inverneſs.*
Forreſter William, Eſq;	*Great Wenlock.*
Fowler Sir Richard, Bart.	*Radnorſhire.*
† Frankland Thomas, Eſq; *(q)*	*Thirsk.*
Furneſe Sir Robert, Bart.	*Romney.*

* Gibbon

(q) *Made a Lord of the Admiralty, now a Baronet.*

Gibbon Philip, Eſq; Commiſſioner of the Revenue of Ireland. *Rye.*
Gordon Sir William, Bart. Commiſſioner for ſtating the Debts due to the Army. *Shire of Sutherland.*
Gough Sir Richard, Bart. a Director of the Eaſt India Company. *Bramber.*
Gould Nathaniel, Eſq; a Director of the Bank. *Shoreham.*
Graham Col. James. *Weſtmoreland,*
Grantham Richard, Eſq; a Commiſſioner for the forfeited Eſtates. *Lincoln City.*
Grant Alexander, Eſq; Col. of Foot, and Governor of Sheerneſs. *Shire of Elgin.*
Greenville Richard, Eſq; *Wendover.*
Gregory George, Eſq; one of the Commiſſioners for the forfeited Eſtates. *Nottingham Town.*
Griffith John, of Lynn, Eſq; *Caernarvonſhire.*
Grimſtone William, Eſq; *(r)* *St Albans.*
Grove Grey James, Eſq; *Bewdley.*
Guidott William, Eſq; *Andover.*

Haldane Patrick, Eſq; one of the Commiſſioners of the forfeited Eſtates. [*See Vol. I. p.* 86.] *Burghs of Forfar,&c.*
Haldane Mungo, Eſq; *Shire of Stirling.*
Hales Sir Thomas, Bart. one of the Commiſſioners for forfeited Eſtates. *Canterbury.*
Hampden Richard, Eſq; one of the Tellers of the Exchequer. [*See Vol. I. p.* 365] *Buckinghamſhire.*
Harnage Richard, Eſq; *Biſhops-Caſtle.*
Harvey Daniel, Gen. Col. of Horſe, and Governor of Guernſey. *Weymouth.*
Heathcote John, Eſq; one of the Directors of the Eaſt India Company. *Grantham.*
Heathcote Sir Gilbert. Knt. one of the Directors of the Bank. *Holſton.*
Henley John, Eſq; *Lyme Regis.*
Hill Trevor, Eſq; *(s)* *Aylesbury.*

r) Created Viſcount Grimſtone and Baron of Dunboyne, May 4. 1719.
s) Created Viſcount Hillsborough and Baron of Kilwarling, Aug. 3. 1717.

Anno 2. Georgii I. 1716.

Hill Sir Roger.	*Wendover.*
Hillerſden William, Eſq;	*Bedfordſhire.*
Hinchinbrook Lord, Col. in the Guards	*Huntington Town.*
Hitch Robert, Eſq;	*Knaresbrough.*
Hobart Sir John, Bart. *(t)*	*St Ives.*
Hopkins John, Eſq; [*See Vol. I. p.* 132.]	*Ilcheſter.*
Hopkins Edward, Eſq; one of the Commiſſioners of the Revenue in Ireland.	*Eye.*
† Hotham Sir Charles, Bart. Col. of Foot. [*See Vol. I. p.* 161.]	*Beverly.*
† Hoghton Sir Henry, Bart. one of the Commiſſioners of the forfeited Eſtates.	*Preſton.*
† Hucks William, Eſq; his Majeſty's Brewer.	*Wallingford*
Humphreys Sir William, Bart.	*Marlborough.*
Jekyll Sir Joſeph, Knt. Chief Juſtice of Cheſter. *(u)*	*Lymington.*
Jenkins Tobias, Eſq;	*York.*
† Jennings Sir John, Knt. one of the Commiſſioners of the Admiralty.	*Rocheſter.*
Jennings Philip, Eſq;	*Queenborough.*
† Jeſſop William, Eſq; Welch Judge.	*Aldborough.*
Johnſon Sir Thomas, Knt.	*Liverpool.*
Janſſen Sir Theodore, Bart [*See Vol. I. p.* 231.]	*Yarmouth in the Iſle of Wight.*
Ingram Arthur, Eſq;	*Horſham.*
Ker Hon. William, Eſq; Col. of Dragoons, and Groom of the Bed-chamber to the Prince.	*Burghs of Dyſart, &c.*
Knight John, Eſq; *(x)*	*St Germains.*
Lade John, Eſq;	*Southwark.*
Leigh John, Eſq;	*Bodmin.*

Lennard

(t) *Made a Commiſſioner of Trade and Plantations in this Parliament, a Knight of the Bath, May* 27, 1725, *and created Baron Hobart of Blickling, May* 28, 1728.

(u) *Appointed Maſter of the Rolls.*

(x) *Made Secretary to the Leeward Iſlands.*

Anno 2. Georgii I. 1716.

Lennard Sir Samuel, Bart. one of the Grooms of the Bed-chamber to the Prince, and Lieutenant of the ſecond Troop of Guards. *Hythe.*
Littleton Thomas, Capt. of Foot. *Melcomb Regis.*
Lockhart James, Eſq; one of the Commiſſioners of the Equivalent. *Shire of Lanerk.*
London John, Eſq; *Wilton.*
Long Col. Charles *Dunwich.*
Lowndes William, Eſq; Secretary to the Treaſury. *St Mawes.*
Lumley Hon. Henry, Col. of Horſe. *Arundel.*
Lyddal Thomas, Eſq; [*See Vol. I. p.* 70.] *Leſtwithiel.*

Maiſters William, Eſq; *Hull.*
Marſham Sir Robert, Bart. *(y)* *Maidſtone.*
Maſon Charles, Eſq; *Biſhops-Caſtle.*
Maynard Thomas, Eſq; Commiſſary-General of Minorca. *Weſtlow.*
Mead Sir Nathaniel, Knt. his Majeſty's Steward of Rumford. *Aylesbury.*
Medlicot James, Eſq; Maſter in Chancery. *Milbourn Port.*
Methuen Hon. Paul, *(z)* one of the Commiſſioners of the Treaſury. *Brackley.*
Meyrick Owen, Eſq; *Angleſey.*
Micklethwaite Thomas, Eſq; *(a)* *Arundel.*
Middleton John, Eſq; Lieutenant Colonel of Foot, and Deputy Governor of Tinmouth. *Burghs of Aberdeen, &c.*
Minſhull Edward, Eſq; *Bramber.*
Moleſworth Robert, Eſq; *(b)* *St Michael.*
Molineux Samuel, Eſq; one of the Secretaries to the Prince. *Boſſiney.*
Monro Capt. Robert, Governor of Inverneſs, a Captain of Foot, and one of the Commiſſioners for forfeited Eſtates. *Burghs of Kirkwall, &c.*
Monſon Sir William, Bart. *(c)* *Aldborough.*
Montague James, Eſq; *Camelford.*

(y) Created Baron of Romney, June 25, 1716.
(z) Created Knight of the Bath, May 27, 1725.
(a) Created Baron Micklethwaite of Ireland, Auguſt 7, 1724, *and Viſcount, May* 30, 1727.
(b) Created Viſcount Moleſworth, June 23, 1716.
(c) Created a Knight of the Bath, May 27, 1725, *and Baron Monſon of Burton, May* 28, 1728.

Anno 2. Georgii I. 1716.

Montgomery John, Eſq; one of the Grooms of the Bed-chamber to the Prince, and a Captain of the Foot Guards	*Shire of Air.*
Moreton Col. Matthew Ducy. *(d)*	*Glouceſterſhire.*
Morgan Anthony, Eſq; Deputy Governor of the Iſle of Wight.	*Yarmouth in the Iſle of Wight.*
Morgan John, Eſq;	*Monmouthſhire.*
Morrice Humphrey, Eſq; one of the Directors of the Bank.	*Newport in Cornwall.*
Murray Lord James, Col. in the Foot Guards.	*Shire of Perth.*
Murray Alexander, Eſq;	*Steuartry of Kirkcudbright.*
Murray Alexander, Eſq;	*Shire of Peebles.*
Naylor George, Eſq;	*Seaford.*
Neville Hon. Grey, Eſq; one of the Commiſſioners for ſtating the Debts due to the Army.	*Berwick.*
Newport Lord Viſcount. *(e)*	*Salop County.*
Newport Hon. Thomas, Eſq; one of the Commiſſioners of the Treaſury.	*Great Wenlock.*
Noel Hon. John, Eſq;	*Rutlandſhire.*
Norris Edward, Eſq;	*Liverpool.*
Norris Sir John, Knt. Admiral of the Blue.	*Rye.*
Northey Sir Edward, Knt. his Majeſty's Attorney General.	*Tiverton.*
Northey William, Eſq;	*Wotton-Baſſet.*
* Offley Crew, Eſq;	*Newcaſtle, Staffordſhire.*
Oliphant Charles, M. D.	*Burghs of Air, &c.*
Onſlow Denzil, Eſq; one of the Commiſſioners of the Victualling-Office:	*Guildford.*
Onſlow Thomas, Eſq; Out-Ranger of Windſor Foreſt.	*Surrey.*
* Oughton Sir Adolphus, Bart. Major of the Guards, and one of the Grooms of the Bed-Chamber to the Prince.	*Coventry.*

Owen

(d) *Created Lord Ducy de Moreton, June* 8, 1720.
(e) Heir apparent to the *Earl of Bradford.*

Owen Sir Arthur, Bart.	*Pembrokeſhire.*
Oxenden Sir Henry, Bart.	*Sandwich.*
Page Sir Gregory, Bart. one of the Directors of the Eaſt India Company.	*Shoreham.*
Palmer Sir Thomas, Bart. one of the Commiſſioners for ſtating the Debts due to the Army.	*Rocheſter.*
Papillon Philip, Eſq;	*Dover.*
• Parker Sir Philip, Bart.	*Harwich.*
Pawlet Lord William, one of the Tellers of the Exchequer.	*Wincheſter.*
Paulett Norton, Eſq;	*Petersfield.*
• Paulett Lord Harry, Captain of Dragoons.	*St. Ives.*
• Pelham Thomas, Eſq; one of the Commiſſioners for ſtating the Debts due to the Army.	*Lewes.*
• Pelham Hon. Henry, Eſq;	*Haſtings.*
Pepper Brigadier, Col. of Dragoons.	*Steyning.*
• Piggot Robert, Eſq;	*Huntingtonſhire.*
Pitt Thomas, ſenior, Eſq;	*Old Sarum.*
Pitt Thomas, junior, Eſq;	*Wilton.*
• Plumtree John, Eſq; one of the Commiſſioners for ſtating the Debts due to the Army.	*Nottingham Town.*
Pollock Sir Robert, Bart. Governor of Fort William.	*Shire of Renfrew.*
Porter Aubrie, Eſq;	*St Edmundſbury.*
Prideaux Sir Edmund, Bart.	*Tregony.*
† Pulteney William, Eſq; Secretary at War [*See Vol. III. p.* 200.]	*Heydon.*
Pynſent Sir William, Bart.	*Taunton.*
• Read Sir Thomas, Bart.	*Cricklade.*
Rebow Sir Iſaac, Knt.	*Colcheſter.*
• Rich Sir Robert, Bart. Col. of Dragoons.	*Dunwich.*
Robarts Hon. Francis, Eſq; one of the Commiſſioners of the Revenue in Ireland.	*Bodmin.*
Robinſon Sir William, Bart.	*York.*
Samuel Sir Thomas, Bart.	*Coventry.*
Sandford Sir Richard, Bart. Warden of the Mint.	*Appulby.*

Anno 2. Georgii I. 1716.

Scawen Sir Thomas, one of the Directors of the Bank. *London.*

Scot James, Eſq; Major in the Foot Guards *Shire of Kinrdin*

* Selwyn Col. John, one of the Clerks of the Green Cloth to the Prince. *Truro,*

Shute John Barrington, Eſq; *(f)* *Berwick.*

* Sloper William, Eſq; Secretary to the Pay-Maſter General. *Bedwin.*

* Smelt Leonard, Eſq; one of the Commiſſioners for ſtating the Debts due to the Army. *Northallerton.*

Smith James, Eſq; *Taunton.*

Smith John, Eſq; one of the Tellers of the Exchequer. *Eaſtlow.*

Sondes Edward Lord Viſcount. *Romney.*

Stanhope Gen. James, *(g)* one of the Secretaries of State. *Cockermouth.*

Stanhope Hon. William, *(h)* Colonel of Dragoons. *Derby Town.*

Stanhope Philip Lord, *(i)* one of the Gentlemen of the Bed-chamber to the Prince. *St Germains.*

Stanwix Thomas, Eſq; Col. of Dragoons, and Governor of Chelſea Hoſpital. *Carliſle.*

Stanyan Abraham, Eſq; *Buckingham Town.*

Steel Sir Richard, Maſter of the Play-Houſe, and one of the Commiſſioners for the forfeited Eſtates. *Borough-Bridge.*

Stewart Brigadier John, Lieutenant Colonel to the third Regiment of Guards. *Shire of Wigtn.*

* Stewart William, Eſq; one of the Secretaries to the Prince, and Remembrancer of the Exchequer in Scotland. *Burghs of Forfar &c.*

St Quintin Sir William, Bart. one of the Commiſſioners of the Treaſury. *Hull.*

Strickla

(f) Created Viſcount Barrington of Ireland, June 11, 1720.
(g) Created Viſcount Stanhope of Mahon, and Baron Stanhope of Elvet July 12, 1717, and Earl Stanhope, April 7, 1718.
(h) Created Lord Harrington, November 29, 1729.
(i) Now Earl of Cheſterfield.

Anno 2. Geo 1716.

Strickland William, Eſq; one of the Commiſſioners of the Revenue in Ireland. *Carliſle.*

Tench Sir Fiſher, Bart. one of the South Sea Directors *Southwark.*
Thompſon William, Eſq; *Scarborough.*
Thompſon Sir William, Knt. Recorder of London. *Ipſwich.*
Tirwhit Sir John, Bart. *Lincoln County.*
Townſhend Hon. Horatio, Eſq; one of the Directors of the South Sea Company. *Yarmouth in Norfolk.*
Travers Samuel, Eſq; Auditor to the Prince, and one of the Clerks of the King's Works. *Windſor.*
Treby George, Eſq; one of the Commiſſioners for the forfeited Eſtates. *Plympton.*
Trefuſis Samuel, Eſq; *Penryn.*
Trelawny Sir John, Bart. one of the Gentlemen of the Bed-chamber to the Prince. *Leskard.*
Trenchard George, Eſq; *Poole.*
Trevanian John, Eſq; [*See Vol. I. p.* 69.] *Cornwall.*
Tuffnel Samuel, Eſq; [*See Vol. I. p.* 101.] *Maldon.*
Turner Cholmley, Eſq; *Northallerton.*
Turner Sir Charles, Knt. one of the Commiſſioners of the Admiralty. *Lynn.*

Vans Patrick, Eſq; *Burghs of Wigton, &c.*
Vernon Thomas, Eſq; *Worceſterſhire.*
Vincent Henry, junior, Eſq; one of the Commiſſioners of the Victualling-Office. *Fowey.*

Wade Gen. Col. of Foot. *Hindon.*
Wager Sir Charles, Knt. Rear Admiral of the Red, and Comptroller of the Navy. *Portſmouth.*
Wallop John, Eſq; *(l)* *Southampton County.*

Walpole

(b) Created Viſcount Lymington, and Baron Wallop of Wallop, June 8, 10.

Anno 2. Georgii I. 1716.

	Bland Sir John, Bart.	*Lancaſhire.*
	Booth Hon. Langham, Eſq;	*Cheſhire.*
	Bracebridge Samuel, Eſq;	*Tamworth.*
†	Bramſtone Thomas, Eſq;	*Malden.*
	Bromley William, Eſq; *(a)* [*See Vol. I. p.* 90.]	*Oxford Univerſity.*
	Bromley John, Eſq;	*Cambridgeſhire.*
	Bruere George, Eſq;	*Marlow.*
	Bunbury Sir Henry, Bart.	*Cheſter.*
*	Butler James, Eſq;	*Suſſex.*
	Calmady Shilſton, Eſq;	*Saltaſh.*
	Calthorpe Reynolds, Eſq;	*Hindon.*
	Calvert Felix, Eſq;	*Reading.*
†	Carew Sir William, Bart.	*Cornwall.*
†	Cartwright Thomas, Eſq;	*Northamptonſhire.*
	Cave Sir Thomas Bart.	*Leiceſterſhire.*
	Cecil Hon. Charles, Eſq;	*Stamford.*
	Champernoon Arthur, Eſq;	*Totneſs.*
	Chaplin Sir Robert, Bart. [*See Vol. I. p.* 231]	*Grimsby.*
	Chetwynd Walter, Eſq;	*Litchfield.*
	Chiſwel Richard, Eſq;	*Calne.*
	Clarges Robert, Eſq;	*Reading.*
	Codrington John, Eſq;	*Bath.*
†	Coffin Richard, Eſq;	*Camelford.*
	Colemore William, Eſq;	*Warwick.*
	Conyers John, Eſq;	*Grinſtead.*
	Conyers Thomas, Eſq;	*Durham City.*
*	Cope Sir John, Knt. and Bart.	*Taviſtock.*
	Cope Sir Jonathan, Bart.	*Banbury.*
	Corrance Clement, Eſq;	*Orford.*
†	Cotton Sir John Hinde, Bart.	*Cambridge Town.*
†	Courtney Sir William, Bart.	*Devonſhire.*
	Cox Charles, Eſq;	*Glouceſter City.*
	Cox John, Eſq;	*Milborne Port.*
	Croſs Sir Thomas, Bart.	*Weſtminſter.*
	Curzon Sir John, Bart.	*Derbyſhire.*
	Davers Sir Robert, Bart.	*Suffolk.*
	Delaune William, Eſq;	*Kent.*
	Downe Lord Viſcount.	*Yorkſhire.*
	Drake Montague Garrard, Eſq;	*Agmondeſham.*

Erle

(a) Secretary of State in the Reign of Queen Anne.

Anno 2. 1711

Erle Joſeph, Eſq;	*Briſtol.*
Eden Sir John, Bart.	*Durham County.*
Elford Jonathan, Eſq;	*Fowey.*
Elwes Sir Harvey, Bart.	*Sudbury.*
England George, Eſq;	*Yarmouth in Norfolk.*
Ettricke William, Eſq;	*Chriſtchurch.*
Fane Hon. John *(c)* Col. of Foot.	*Kent.*
Finch Daniel *(d)* Lord.	*Rutlandſhire.*
Fleetwood John, Eſq;	*Buckinghamſhire.*
Fleming Richard, Eſq;	*Southampton Town.*
Foley Thomas, Eſq;	*Hereford.*
Foley Richard, Eſq;	*Droitwich.*
Fownds John, jun. Eſq;	*Dartmouth.*
Freeman Ralph, Eſq;	*Hertfordſhire.*
Fuller Samuel-Pargiter, Eſq;	*Petersfield.*
Godfrey Peter, Eſq;	*London.*
Grey Thomas de, Eſq;	*Norfolk.*
Guernſey Heneage, Lord. *(e)* [*See Vol. I. p.* 68.]	*Surry.*
Hanmer Sir Thomas, Bart.	*Suffolk.*
Hardreſs John, Eſq;	*Canterbury.*
† Harley Edward, Eſq;	*Leominſter.*
Harvey William, Eſq;	*Eſſex.*
Heath Thomas, Eſq;	*Harwich.*
Hedworth John, Eſq;	*Durham County.*
Herbert James, Eſq;	*Oxfordſhire.*
Herne Joſeph, Eſq;	*Dartmouth.*
Heron Henry, Eſq;	*Boſton.*
Heyſham Robert, Eſq;	*London.*
Heyſham William, Eſq;	*Lancaſter.*
Hill Samuel, Eſq;	*Litchfield.*
Holmes Henry, Eſq;	*Yarmouth.*
Hopton Richard, Eſq;	*Herefordſhire.*
† Horner Thomas, Eſq;	*Wells.*
How Sir Richard, Bart.	*Wiltſhire.*
Hungerford John, Eſq;	*Scarborough.*
Hutcheſon Archibald, Eſq;	*Haſtings.*
Hyde Robert, Eſq;	*Wiltſhire.*

(c) Now Earl of Weſtmoreland.
(d) Now Earl of Winchelſea and Nottingham.
(e) Now Earl of Aylesford.

Anno 2. Georgii I. 1716.

	Jeffreys Edward, Eſq;	*Droitwich.*
	Jenkinſon Sir Robert, Bart.	*Oxfordſhire.*
	Jennings James, Eſq;	*Abingdon.*
	Jennings John, Eſq;	*Cambridgeſhire.*
	Ing William, Eſq;	*Tamworth.*
	Ingram Hon. Arthur, Eſq;	*Horſham.*
	Johnſon Sir Henry, Knt.	*Aldborough, Suffolk.*
	Johnſon William, Eſq;	*Aldborough, Suffolk.*
	Iſham Sir Juſtinian, Bart.	*Northamptonſhire.*
	Kaye Sir Arthur, Bart.	*Yorkſhire.*
	Keymis Sir Charles, Bart.	*Glamorganſhire.*
	King Thomas, Eſq;	*Queenborough.*
	Kynaſton Corbet, Eſq;	*Salop Town.*
	Lambert Edward, Eſq;	*New Sarum.*
	Lawſon Gilfrid, Eſq;	*Cumberland.*
	Lechmere Anthony, Eſq;	*Tewkſbury.*
	Lechmere Nicholas, Eſq; *(f)*	*Cockermouth.*
†	Lee Sir Thomas, Bart.	*Chiping Wycombe.*
	Leeves Robert, Eſq;	*Steyning.*
	Leiceſter Sir Francis, Bart.	*Newton, Lancaſhire.*
†	Leigh Hon. Charles, Eſq;	*Higham Ferrers.*
†	Levinz William, Eſq;	*Nottinghamſhire.*
	Lewen Sir William, Knt.	*Poole.*
*	Lewis Thomas, Eſq;	*Southampton Town.*
	Lewis Thomas, Eſq;	*Monmouthſhire.*
	Long Sir James, Bart.	*Wotton Baſſet.*
*	Longueville Charles, Eſq;	*Downton.*
	Lowther James, Eſq;	*Cumberland.*
†	Lutwyche Thomas, Eſq;	*Apulby.*
†	Maſter Thomas, Eſq;	*Cirenceſter.*
	Mews Sir Peter, Knt.	*Chriſtchurch.*
	Morgan Sir Thomas, Bart.	*Herefordſhire.*
	Morrice Sir Nicholas, Bart.	*Newport, Cornwall.*
†	Moſtyn Sir Roger, Bart.	*Flintſhire.*
†	Newland William, Eſq;	*Gatton.*
	Nicholas Edward, Eſq;	*Shaftsbury.*
	North Dudley, Eſq;	*Thetford.*
	Northmore William, jun. Eſq;	*Okehampton.*
	Northleigh Stephen, Eſq;	*Totneſs.*

Packer

(f) Appointed Chancellor of the Dutchy of Lancaſter, June 12, 1717; and created Baron Lechmere, Aug. 25, 1721.

Anno 2. Georgii I. 1716.

	Packer Robert, Eſq;	*Berkſhire.*
	Packington Sir John, Bart.	*Worceſterſhire.*
	Paget Henry Lord.	*Staffordſhire.*
†	Palmer Thomas, Eſq;	*Bridg-water.*
	Palmer Sir Jeoffry, Bart.	*Leiceſterſhire.*
	Parker Charles, Eſq;	*Peterborough.*
	Paske Thomas, L. L. D.	*Cambridge Univerſity.*
	Peytoe William, Eſq;	*Warwickſhire.*
	Pitt, George, Eſq;	*Southamptonſhire.*
	Pitt George, jun. Eſq;	*Wareham.*
	Pole Sir William, Bart.	*Honiton.*
	Randyl Morgan, Eſq;	*Guildford.*
	Raymond Sir Robert. *(g)* [*See Vol. I. p.* 95.]	*Ludlow.*
	Reynel Richard, Eſq;	*Aſhburton.*
	Rogers Sir John, Bart.	*Plymouth.*
	Roſs General Charles.	*Shire of Roſs.*
†	Rowney Thomas, Eſq;	*Oxford City.*
†	Rudge John, Eſq; a Director of the Bank.	*Eveſham.*
†	Ruſhout Sir John, Bart.	*Malmesbury.*
	Sawbridge Jacob, Eſq; [*See Vol. I. p.* 231.]	*Cricklade.*
†	Seabright Sir Thomas Saunders, Bt.	*Hertfordſhire.*
	Shepheard Samuel, Eſq;	*Cambridge Town.*
†	Shippen William, Eſq; [*See Vol. I. p.* 71.]	*Saltaſh.*
†	Shuttleworth Richard, Eſq;	*Lancaſhire.*
	Smith Thomas, Eſq;	*Eye.*
	Smithſon, Hugh, Eſq;	*Middleſex.*
	Snell John, Eſq; [*See Vol. I. p.* 86.]	*Glouceſter.*
	Stephens Thomas, Eſq;	*Glouceſterſhire.*
	Stephens William, Eſq;	*Newport in the Iſle of Wight.*
	Stonehouſe Sir John, Bart.	*Berkſhire.*
	Stradling Sir Edward, Bart.	*Caerdiffe.*
	Strangeways, Thomas, Eſq;	*Dorſetſhire.*
•	Sutton Richard, Brigadier General.	*Newark.*
	Swanton Francis, Eſq;	*New Sarum.*
†	Talbot John Ivory, Eſq;	*Ludgerſhall.*
	Trenchard Henry, Eſq;	*Dorcheſter.*

Trevor

(g) Appointed his Majeſty's Attorney General.

Anno 2. Georgii I. 1716.

Trevor John Morley, Eſq;	*Lewes.*
Trotman Samuel, Eſq;	*Bath.*
Turner Sir Edward, Knt.	*Orford.*
Vaughan Richard, Eſq;	*Merionethſhire.*
Vernon Thomas, Eſq;	*Whitchurch.*
Urquhart Alexander, Eſq;	*Shires of Nairne and Cromarty.*
Walcot Humphrey, Eſq;	*Ludlow.*
Walter Sir John, Bart.	*Oxford City.*
Warburton Sir George, Bart.	*Cheſhire.*
Ward John, Eſq;	*Thetford.*
Ward William, Eſq;	*Staffordſhire.*
Ward Joſhua, Eſq;	*Marlborough.*
Wentworth Hon. Thomas, Eſq;	*Malton.*
Weſterne Thomas, Eſq;	*Sudbury.*
Whitelocke Sir William, Knt.	*Oxford Univerſity.*
Willoughby Hon. Francis, Eſq; *(b)*	*Nottinghamſhire.*
Windſor Hon. Dixie, Eſq;	*Cambridge Univer.*
Winſtanley James, Eſq;	*Leiceſter Town.*
Worſley Sir Robert, Bart.	*Newton in the Iſle of Wight.*
Wrightſon William, Eſq;	*Newcaſtle.*
Wykes William, Eſq; [*See Vol. I. p.* 4.]	*Northampton Town.*
Wynne Richard, Eſq;	*Boſton.*

(b) Now Lord Middleton.



A LIST of the MEMBERS of the HOUSE of COMMONS who voted for the CONVENTION, ſhewing the Places which they or their Relations enjoy, beſides what *ſecret Favours* may be conferred on them.

Teller for the Convention.

Salaries *per Ann.*

Tho. Winnington, Eſq; Lord of the Treaſury 1600*l.*

A Bercromby, James, Burntiſhire, Capt. of F. and Dep. Gov. of Stirling Caſtle 600*l.*
A-Court, Pierce, Heyteſbury, Two Brothers in the Guards
Alſton, Sir Rowland, Bedfordſhire
Archer, Thomas, Warwick, Truſtee for Georgia
Archer, Henry, Warwick, Truſtee for Georgia
Areſkine, Charles, Dumfreiſhire, Lord Advocate of Scotland 1000*l.*
Arundel, Hon. Richard, Knaresborough, Maſter Worker of the Mint 1500*l.*
Aſhe, Joſ. Windham, Downton
Aſhburnham. Sir Wil. Haſtings, Commiſſioner of the Alienation Office, and Chamberlain of the Tally Court 800*l.*
Baker, Hercules, Hythe, Treaſurer of Greenwich Hoſpital 500*l.*
Balle, Thomas, Exeter
Beaghan, Edm. Hungate, Winchelſea
Beauclerk, Lord Vere, Windſor, Lord of the Admiralty 1000*l.*
Beauclerk, Lord Sidney, Windſor, Brother to Lord Vere and D. of St. Alban's, obtained a Reverſionary Grant of Crown-Lands after a ſhort Term
Bertie, Hon. Albemarle, Boſton
Bevan, Arthur, Caermarthen
Biſſe, Ste. Romney, Commiſſioner for Victualling the Navy, Clerk of the Crown 1000*l.*
Bladen, Martin, Malden, Commiſſioner of Trade, and Commiſſary for ſettling the Trade in the Netherlands 2500*l.*
Bladen, Thomas, Aſhburton
Bockland, Maurice, Lymington, Col. of the Foot Guards 500*l.*
Bond, John, Corfe-Caſtle, His Brother King's Letter-Carrier
Bowles, Brig. Phineas, Bewdley, Col. of a Reg. of Dragoons in Ireland, and Brigadier on the Iriſh Eſtabliſhment 2000*l.*
Boyne, Lord Viſc. Newport, Commiſſioner of the Revenue in Ireland 1000*l.*
Boynton, Sir Francis, Heydon, His Son in the Army
Bradſhaigh, Sir Roger, Wigan, His Sons in the Army and at Court
Bradſhaw. Elerker, Beverly
Braſſy, Nathaniel, Hertford
Brereton, Tho. Liverpool, Commiſ. of the Victualling Office, his Son in the Lottery Office 500*l.*
Bridges, Geo. Winchester
Briſtow, John, Borealſton, Dep. Gov. of the South-Sea Company
Briſtow, Robert, Winchelſea
Brodie, Alex. Elginſhire, Lyon King at Arms, &c. 800*l.*
Brodie, Alex. Nairnſhire, His Brother a Company in New-York
Bromley, Hen. Cambridgeſhire, Lieutenant of the County of Cambridge
Brown, Sir Robert, Ivelcheſter
Brudenell, Hon. James, Chicheſter, Commiſſioner of Trade, Groom of the Bed-Chamber, and Gentleman of the Horſe to his Majeſty 2000*l.*
Burchet, Joſiah, Sandwich, Secretary of the Admiralty 1200*l.*
Burrell, Peter, Haſlemere, Sub-Governor of the South-Sea Company
Butler, James, Suſſex
Byng, Robert, Plymouth, Commiſſioner of the Navy, now Governor of Barbados 500*l.*
Campbell, Brig. James, Airſhire, Col. of the Reg. of Grey Dragoons, and Groom of the Bed-Chamber, and Governor of Edinburgh Caſtle 3800*l.*
Campbell, Colonel John, Dumbartonſhire, Groom of the Bedchamber, and Col. of a Regiment of Foot, and his Daughter Keeper of Somerſet Houſe 1400*l.*
Campbell, John, Pembrokeſhire, Lord of the Admiralty, with Lodging, Fire and Candle 1300*l.*
Carmichael, Hon. James, Lanerk, &c. Brother to the Earl of Hyndford, a Lord of the Police, and Commiſſioner to the Aſſembly in Scotland
Carew, Walter, Dartmouth, Clerk of the Green Cloth, and Council 1500*l.*
Caſwel, Sir George, Leominſter
Cavendiſh, Philip, Portſmouth, Admiral of the Blue, and Porter of St. James's Palace 600*l.*
Champion, Sir George, Ayleſbury, B. B
Cholmondeley, Hon. James, Camelford, Lieut. Gov. of Cheſter Caſtle, and Lieut. Col. of the Horſe Guards 1000*l.*
Churchill, Charles, Caſtle-riſing Gen. Groom of the Bed-Cham Majeſty, Col. of a Reg. of Dr Gov. of Plymouth, &c. and Place in the Cuſtom-houſe; i
Chute, Anthony, Yarmouth

Clavering, John, Penryn, Groom of the Bed-Chamber to his Majeſty 500 *l.*

Clayton, Sir William, Blechingly, Seventeen of his Relations in Place

Clayton, Kenrick, Blechingly, Son to Sir William

Clutterbuck, Thomas, Plympton, Lord of the Admiralty 1000 *l.*

Conolly, William, Aldborough

Cope, Brig. Gen. John, Orford, Colonel of a Reg. of Dragoons in Ireland 1500 *l.*

Cope, Sir John, Lymington, his Son a Place at Court, &c.

Copleſton, Tho. Kellington, Clerk of the Quit Rents, and Forfeiture Office in Ireland 600 *l.*

Corbet, William, Montgomery, his Father a Commiſſioner of the Cuſtoms

Corbet, Thomas, Saltaſh, Under Secretary to the Admiralty, and Sec. to Greenwich Hoſp. and the Widows Charity 800 *l.*

Cornwall, James, Weobly, Captain of a Man of War 400 *l.*

Cornwallis, Hon. Ste. Eye, Col. of a Reg. of Foot in England 2200 *l.*

Cornwallis, Hon. John, Eye

Crowle, George, Hull, Commiſſioner of the Navy 500 *l.*

Curwen, Edward, Cockermouth

Danvers, Joſeph, Totneſs

Darcy, Sir Conyers, Richmond, Comptroller of the Houſhold 1000 *l.*

Dennis, George, Leſkard, Comptroller of the Lotterys 500 *l.*

Doddington, George, Bridgewater, Lord of the Treaſury, and Clerk of the Pells in Ireland 3100 *l.*

Doddington, George, Weymouth

Douglas, Hon. Robert, Orkney and Zetland, Captain of a Comp. of Foot 250 *l.*

Downing, Sir George, Dunwich, Knight of the Bath

Drummond, John, Dundee, &c. Commiſſary for ſettling the Trade in the Netherlands, and his Nephew Secretary to the Order of the Thiſtle 1500 *l.*

Duckett, Col. William, Caln, Lieut. Col. in the Horſe-Grenadiers 500 *l.*

Duncombe, Anthony, Downton

Dummer, Tho. Southampton, His Father and Self Places in the Great Wardrobe 1200 *l.*

Earle, Giles, Malmeſbury, Lord of the Treaſury 1600 *l.*

Earl, William Rawlinſon, Malmeſbury, Clerk of Deliveries in the Ordnance Office 600 *l.*

Edgecumbe, Richard, Leſtwithiel, Joint Treaſurer of Ireland 4000 *l.*

Euſton, Lord, Coventry, Son to the Lord Chamberlain

Evans, Richard, Queenborough, Captain of Dragoons, and Dep. Governor of Sheerneſs, &c. 600 *l.*

Evers eld, Charles, Horſham

Eyles, Sir Joſeph, Deviſes, Brother to the Poſt-Maſter General, and Remitter for the Crown 2500 *l.*

Eyles, Capt. Francis, Deviſes, Commiſſioner for victualling the Navy 500 *l.*

Falconer, John, Kincardineſhire

Fall, James, Jedburgh, &c. a Leak in Holy Iſland

Fane, Francis, Taunton, King's Council, and to the Board of Trade 800 *l.*

Finch, Hon. Hen. Receiver-General and Collector of the Revenues in Minorca 500 *l.*

Fitzroy, Charles, Thetford, Maſter of his Majeſty's Tennis Court and Cornet of Horſe 400 *l.*

Fox, Stephen, Shafteſbury, ſince made joynt Secretary of the Treaſury

Fox, Hen. Hindon, Surveyor General of his Majeſty's Works 1000 *l.*

Frankland, Sir Tho. Thirſke, Lord of the Admiralty, with Lodging, Fire and Candle 1500 *l.*

Frankland, Frederick, Thirſke, his Brother

Frederick, Thomas, Shoreham, Truſtee for Georgia

Gage, Sir William, Seaford, Knight of the Bath

Gallway, Lord Viſcount, Pontefract, Commiſſioner of the Revenue in Ireland 1000 *l.*

Gibſon, Tho. Yarmouth, in Hants, Conveyancer to Sir Rob. Walpole, and Cuſtos to the Pay Office

Gildart, Richard, Liverpool, His eldeſt Son Receiver Gen. of the Land Tax for the County of Lancaſter, and two of his other Sons provided for, &c.

Glenorchy, Lord Viſcount, Saltaſh

Gough, Sir Henry, Bramber

Gough, Capt. Bramber, Director of the Eaſt-India Company

Grant, Sir James, Invernefſh. A Comm. of Duties in Scotland, his eldeſt Son Commiſſioner of Police, his ſecond Son Captain in the Army, and his Brother Captain of an independent Company

Grey, Hen. Reading

Gregory, George, Boroughbridge, Storekeeper of the Ordnance 500 *l.*

Griffith, John, Caernarvenſhire, Captain of Foot 250 *l.*

Grove, Gray James, Bridgenorth

Gulſton, Joſeph, Tregony, Director of the South Sea Company

Hale, Sir Thomas, Canterbury

Hale

Hales, Tho. his Son, Grampound, Clerk of the Board of Green Cloth 1000 *l.*
Halket, Peter, Inverkeithen, Captain of Foot 250 *l.*
Hampden, John, Wendover, Commiſſary of the Stores at Gibraltar 500 *l.*
Hanbury, William, Monmouthſhire, Heir expectant to the late Lord Ranelagh's Eſtate
Handaſyd, Brig. Roger, Huntington, Col. of a Reg. of Foot, and Governor of Fort Philip 2500 *l.*
Harris, John, Helſton, Treaſurer to the Board of Works 600 *l.*
Harvey, John, Ryegate
Hay, William, Seaford, Commiſſioner of the Victualling Office 500 *l.*
Heathcote, Sir John, Bodwin, Truſtee for Georgia
Hedworth, John, Durham
Henley, Hen. Holt, Lyme-Regis, Clerk of the Pipe 500 *l.*
Herbert, Hon. Tho. Newport Hants, Col. in the F. G. and Paymaſter to Gibraltar 1200 *l.*
Herbert, Hon. Rob. Wilton, Commiſſioner of Trade 1000 *l.*
Herbert, Hon. William, Wilton, Colonel in the Foot Guards 500 *l.*
Herbert, Hon. Arthur, Ludlow, Lieut. of the County of Salop
Heron, Patrick, Kirkudbright, His Son a Company in Georgia
Hervey, Hon. Tho. St. Edmundſbury, Surveyor of his Majeſty's Gardens and Water-Works 500 *l.*
Hinxman, Joſ. Chriſt-Church, Woodward and Keeper of New-Foreſt, &c. 500 *l.*
Hoby, Sir Thomas, Great Marlow
Hoghton, Sir Hen. Preſton, Judge Advocate 800 *l.*
Holden, Samuel, Eaſtlow, Director of the Bank
Howard, Hon. Cha. Carliſle, Colonel of a Regiment of Foot in Ireland, and Dep. Gov. of Carliſle Caſtle 1200 *l.*
How, John, Wiltſhire
Howarth, Sir Humph. Radnorſhire
Hucks, William, Wallingford, the King's Brewer
Hucks, Robert, his Son, Abinddon, Truſtee for Georgia
Huxley, George, Newport in Hants, Commiſſary of the Muſters 800 *l.*
Jenniſon, Ralph, Northumberland, Maſter of the Buck Hounds 2400 *l.*
Jewkes, John, Aldborough in Yorkſhire
Ingram, Hon. Charles, Horſham, Colonel of the Foot-Guards 500 *l.*
Kent, Samuel, Ipſwich, Diſtiller to the Court
Kinaſton, Wm. Shrewſbury, His Brothe Sollicitor to the Cuſtoms
Knight, Robert, Grimſby, Son to the late Caſhier of the South Sea Co mpany
Lambton, Hen. Durham
Laroche, John, Bodmyn, Truſtee for Georgia
Lawrie, Sir Robert, Dumfries, &c. Son in Law to the Lord Advocate for Scotland
Lawton, John, Newcaſtle Staffordſhire, late chief Clerk of the Sureties of the Exciſe
Leathes, Carteret, Harwich
Leheup, Iſaac, Kellington, Brother in Law to Hor. Walpole, and ſent formerly Miniſter to Germany, and his Brothers and Relations provided for
Lewis, Tho. Radnor, Several Relations in the Cuſtoms
Liddell, Sir Hen. Morpeth
Liddell, George, Berwick, Director for Greenwich Hoſpital of Lord Derwentwater's Eſtates
Lindeſay, Patrick, Edinburgh, His Brother-in-Law Receiver-General in Scotland
Lockyer, Charles, Ivelcheſter
Longueville, Charles, Eaſtlow, Auditor to the late Queen, beſides his other Employment 800 *l.*
Lowther, Sir William, Pontefract, His Brother a Place in the Cuſtoms
Lloyd, Walter, Cardiganſhire, Attorney-General in Wales 300 *l.*
Lloyd, Richard, Cardigan
Lyttleton, Sir Thomas, Camelford, Lord of the Admiralty, with Lodging, Fire and Candle 1300 *l.*
Maiſter, Henry, Kingſton upon Hull
Martin, Matthew, Colcheſter, Director of the Eaſt-India Company
Maule, William, Forfarſhire, Captain of Foot, and his Brother Regiſter of Seiſings in Scotland 250 *l.*
Medlicott, Thomas, Milburne Port
Middleſex, Earl, Eaſt-Grinſtead, Son to the Lord Steward
Middleton, Sir William, Northumberland
Middleton, Brigadier John, Montroſe, &c. Colonel of a Reg. of Foot in England, Gov. of Holy-Iſland, and Purveyor of Coal and Candle for the Guard-Room at Edinburgh 1400 *l.*
Mill, Sir Richard, Penryn
Monſon, Carles, Lincoln, Deputy Pay-Maſter of the Army 1000 *l.*
Montagu, Lord Robert, Huntingdon, Vice-Chamberlain to her late Majeſty 500 *l.*
Mordaunt, John, Nottinghamſhire, Huſband to a Lady of the Bed-chamber to the late Queen 500 *l.*
Mordaunt, John, Witchurch, Col. in the F. G. and Equerry to the King 800 *l.*

Morden, William, Dunwich
Morgan, Thomas, Monmouthſhire, Lieutenant of the County of Monmouth
Munro, Sir Robert, Dingwall, &c. His Brother an independent Company
Murray, Lord John, Perthſhire, Colonel in the Foot-Guards 500 *l.*
Naſmith, Sir James, Peebleſhire, His Brother Clerk to the Commiſſion of Notaries in Scotland
Norris, Sir John, Rye, Vice-Admiral of England, Admiral of the Red 1200 *l.*
Norton, Thomas, St. Edmund's-Bury, Lieu. Gov. of Chelſea College 600 *l.*
Olmius, John, Weymouth
Onſlow, Right Honourable Arthur, Surrey, Speaker of the Houſe of Commons, Chancellor to the late Queen, and Treaſurer of the Navy 5000 *l.*
Onſlow, Richard, Guildford, Colonel of a Regiment of Foot, and Adjutant-General 1600 *l.*
Oſbaldeſton, William, Scarborough
Owen, William, Pembroke, His two Brothers Captains of Dragoons, and his third Brother Lieut. in the Guards 300 *l.*
Owen, John, Weſtlow, Second Brother to William Owen, Capt. of a Company of Dragoons
Palmerſton, Lord Viſ. Boſſiney, Chief Remembrancer in the Court of Exchequer in Ireland 1000 *l.*
Papillon, David, Dover, his Son a Place
Parſons, Henry, Malden, Purveyor of Chelſea College, and Commiſſioner for Victualling the Navy, &c. &c. 2000 *l.*
Pearſe, Thomas, Weymouth, Commiſſioner of the Navy 500 *l.*
Peirſe, Henry, Northallerton
Pelham, Right Honourable Henry, Suſſex, Pay-Maſter of his Majeſty's Forces, &c. 5000 *l.*
Pelham, James, Newark, Secretary to the Lord Chamberlain, &c. 600 *l.*
Pelham, Thomas, Haſtings, Secretary to the Embaſſy at the Court of France 600 *l.*
Pennington, Sir Joſeph, Cumberland, His Son (by his Surrender) Comptroller of the Exciſe-caſh
Penton, Henry, Tregony
Phillipſon, John, Shoreham, chief Clerk in the Navy-Office, ſince made Commiſſioner of the Navy, and re-choſe 500*l.*
Peers, William, Wells, His Son in the Army
Pigot, Robert, Huntingdonſhire
Plumer, Richard, St. Maw's, Commiſſioner of Trade 1000 *l.*
Plumtree, John, Nottingham, Treaſurer to the Ordnance 1500 *l.*
Thull, David, Rocheſter, Keeper of the Records in the Tower, and his younger Brother Keeper of the Records 500 *l.*
Pollen, John, Andover
Poulet, Hon. Peregrine, Boſſiney, Brother to a Lord of the Bed-chamber to his Majeſty 300 *l.*
Powlett, Lord Harry, Hampſhire, Lord of the Admiralty, and his Son an Enſign in the Guards 1500 *l.*
Purvis, George, Aldborough, Comptroller of the Navy 1000 *l.*
Read, Sir Thomas, Cricklade, Clerk of the Board of Green-cloth
Revell, Thomas, Dover, Commiſ. for victualling the Navy, and Contracter for Gibraltar 2000 *l.*
Rich, Sir Robert, St. Ives, Groom of the Bed-chamber, and Col. of a Regiment of Dragoons, and his Son a Cornet of Dragoons 3800 *l.*
Robinſon, Nicholas, Wotton Baſſet, Captain of a Sloop to prevent Smuggling 500 *l.*
Roſe, Hugh, Roſsſhire, his Uncle Lieutenant-Colonel of Dragoons
Ryder, Dudley, Tiverton, Attorney-General 1500 *l.*
Sackville, Lord John, Tamworth, Son to the Lord Steward, Captain of a Company of Foot 250 *l.*
St Clair, James, Sutherlandſhire, Col. of a Reg. of Foot, and of two Battal. 2000 *l.*
St John, Pawlett, Wincheſter
Scrope, Hon. John, Lyme-Regis, Secretary to the Treaſury 3000 *l.*
Selwyn, John ſenior, Gloceſter, late Receiver-General of the Cuſtoms, and ſurrender'd it to his Brother, Treaſurer to the late Queen 4600 *l.*
Selwyn, John, junior, Whitechurch, Treaſurer to the Duke and Princeſſes, and the Reverſion of two Places in the Weſt-Indies 800 *l.*
Shelley, Sir John, Arundell, Brother-in-law to the Duke of Newcaſtle, his Brother a Commiſſioner of the Stamp-Duty
Sleper, William, Great Bedwin, Deputy Cofferer 1000 *l.*
Smelt, Leonard, Northallerton, Clerk of the Ordnance 700 *l.*
Stert, Arthur, Plymouth, Commiſſary for ſettling the Merchants Loſſes by the Spaniards ever ſince the Year 1728 1000 *l.*
Steuart, Hon. Col. James, Wigton, &c. Col. in the Guards 500 *l.*
Steuart, William, Bamff, &c. Paymaſter of foreign Penſions, and Overſeer of the King's Swans, and principal King's Remembrancer for the Exchequer in Scotland 1400 *l.*

Strange,

Strange, John, Weſtlow, Solicitor-General 1000 *l.*
Sundon, Lord, Weſtminſter, Lord of the Treaſury 1600 *l.*
Talbot, Hon. John, Brecon
Thompſon, Edward, York, Commiſſioner of the Revenues in Ireland 1000 *l*
Thompſon, William, Scarborough, Commiſſioner for victualling the Navy 1000*l.*
Towers, Tho. Wallingford, Truſtee for Georgia
Townſhend, Hon. Thomas, Cambridge Univerſity, Teller of the Exchequer 2000 *l.*
Tracey, Robert, Tewkſbury, Truſtee for Georgia
Treby, Geo. Dartmouth, Maſter of the Houſehold 1000 *l.*
Trefuſis, Thomas, Grampound, Captain of a Man of War 400 *l.*
Tranchard, George, Pool
Trevor, John Morley, Lewis
Tucker, John, Weymouth, his Father a Grant of the Quarries in Portland
Turner, Sir John, Lynn, many of his Relations in Places
Turner, Cholmley, York
Turner, William Horſmanden, Maidſtone
Tyrconnel, Lord Viſc. Grantham, Truſtee for Georgia
Tyrrel, James, Boroughbridge, Maj. Gen. Col. of a Regiment of Foot, and Gov. of Tilbury Fort, &c. 1800 *l.*
Urquhart, Duncan, Forreſs, &c. Lieut. in the Foot Guards, his Father Receiver of the Biſhops Rents 200 *l.*
Vere, Thomas, Norwich
Wade, George, Bath, General of his Majeſty's Forces in Scotland, Col. of a Reg. of Horſe, and Gov. of Fort William 4000 *l.*
Wager, Sir Charles, Weſtminſter, firſt Lord of the Admiralty, and Admiral of the White, &c. 3600 *l.*
Walker, Tho. Plympton, Surveyor-General of the Crown Lands, &c. 1500 *l.*
Wallingford, Lord, Banbury, Major in the Horſe-Guards 500 *l.*
Walpole, Sir Robert, Lynn, Chancellor and Under Treaſurer of the Exchequer, Commiſſioner of the Treaſury, &c. &c. &c 8000 *l.*
Walpole, Hor. Norwich, Ambaſſador Extraordinary, and Plenipo. to the States-General, Cofferer to his Majeſty, and Auditor-General to the Plantations, &c. &c. 11000 *l.*
Walpole, Edward, Yarmouth, Secretary to the Treaſury of England, and Secretary to the Lord-Lieutenant of Ireland 4000 *l.*
Wardour, William, Fowey, his Brother, Lieut. Col. in the Horſe-Guards
White, John, Retford, Truſtee for Georgia
Whitworth, Francis, Minehead, Surveyor-General of his Majeſty's Foreſts 1000 l.
Williams, Sir Nicholas, Caermarthenſhire, Lieut. of the County of Caermarthen, and Keeper of the Court-Leets 500 *l.*
Wills, Sir Cha. Totneſs, Col. of the firſt Regiment of Foot-Guards, and Lieut. Gen. of Foot and Ordnance 4000 *l.*
Wilmer, William, Northampton
Wilkinſon, Andrew, Aldborough Yorkſh.
Woollaſton, William, Ipſwich, Truſtee for Georgia
Wyndham, Tho. Pool
Wynn, Sir George, Flint, a Grant from the Crown of the Mines in Flintſhire for 32 Years
Wynn, Thomas, Caernarvon, Clerk of the Board of Green Cloth 1000 *l.*
Yonge, Sir William, Honiton, Secretary at War 2500 *l.*
Yorke, John, Richmond

Of the foregoing voted for the Exciſe 141
Againſt it 13
Abſent 7
Choſe ſince 101

Teller againſt the CONVENTION.

Sir John Ruſhout, Bart, Eveſham

Abdy, Sir Robert, Eſſex
Aſſleck, Gilbert, Cambridge Town
Aiſlabie, William, Rippon, Auditor of the Impreſt for Life 2000 *l.*
Andover, Lord Viſcount, Caſtlerising
Archer, William, Berks
Aſhby, Thomas, St Albans
Aſhley, Solomon, Bridport, lock'd out ---- next Day voted againſt it
Aſtley, Sir John, Salop
Aſton, Sir Thomas, St Albans
Bacon, Sir Edmund, Norfolk
Bagot, Sir Walt. Wagſtaff, Staffordſhire
Baltimore, Lord, St Germains, Gentleman of the Bed-chamber to the Prince 600 *l.*
Bampfylde, John, Devonſhire
Bance, John, Weſtbury, Director of the Bank
Bankes, John, Corfe-caſtle
Barnard, Sir John, London
Barrymore, Earl, Wigan
Bathurſt, Hon. Benjamin, Glouceſterſhire
Bathurſt, Hon. Henry, Cirenceſter
Bathurſt, Benjamin, Glouceſter
Bathurſt, Peter, New Sarum
Bayley, Nicholas, Angleſea

Bayntn

Baynton, (Rult) Robert-Edw. Chippenham
Berkeley, Hon. George, Heydon, Maſter of St. Katharine's Hoſpital, London, for Life 400 *l.*
Berkeley, Hon. John, Stockbridge
Blackett, Walter, Newcaſtle
Bold, Peter, Lancaſhire
Boon, Daniel, Luggerſhall
Bootle, Thomas, Midhurſt
Bowes, George, Durham
Bramſton, Thomas, Eſſex
Browne, John, Dorcheſter, King's Council
Browne, Robert, Dorcheſter
Buckworth, Sir John, Weobly
Burgoyne, Sir Roger, Bedfordſhire
Butler, Dr. Edward, Oxford Univerſity
Ceſar, Charles, Hertfordſhire
Campbell, Brig. Peter, Buteſhire, Lieut. Governor of Portſmouth 300 *l.*
Campbell, Charles, Shire of Argyle, Captain of Foot 250 *l.*
Campbell, William, Renfrew, &c. Equerry to the Duke, and Cornet of Horſe 340 *l.*
Carew, Sir William, Cornwall
Carew, Thomas, Minehead
Carnarvon, Marquis of, Steyning, Gentleman of the Bedchamber to the Prince 600 *l.*
Cartwright, Thomas, Northamptonſhire
Chaſin, George, Dorcheſter
Chamberlayne, George, Buckingham
Cheſter, Thomas, Glouceſterſhire
Chetwynd, Ld. Vifc. Stafford
Chetwynd, William, Stafford
Child, Sir Francis, Middleſex
Chicheſter, Sir John, Barnſtable
Cholmondley, Charles, Cheſhire
Clifton, Sir Rob. Kt. of the Bath, Retford
Codrington, John, Bath
Compton, Hon. George, Northampton
Cornbury, Ld. Vifc. Oxford Univerſity
Cornewall, Velters, Herefordſhire
Coſter, Thomas, Briſtol
Cotes, Dr. Charles, Tamworth
Cotton, Sir John Hynde, Cambridge Town
Courtney, Sir William, Honiton
Courtney, Kellond, Truro
Crawley, John, Marlborough
Crewe, John, Cheſhire
Cuningham, Alexander, Renfrewſhire
Curzon, Sir Nathaniel, Derbyſhire
Dalrymple, Hon. Wm. Shire of Wigtoun
Davers, Sir Jermyn, Suffolk
Dawkins, James, Woodſtock
Delme, Peter, Luggerſhall
Dering, Sir Edward, Kent
Devereux, Hon. Price, Montgomeryſhire
Digby, Hon. Edward, Warwickſhire, Truſtee for Georgia
Drax, Henry, Wareham
Duncombe, Thomas, Rippon
Elliot, Richard, Leſtwithiel, Receiver-General to the Prince 500 *l.*
Elton, Sir Abraham, Briſtol
Ereſkine, Hon. James, Clackmannan, Secretary to the Prince for Scots Affairs
Evans, Hon. George, Weſtbury
Evelyn, John, Helſton, Groom of the Bedchamber to the Prince 400 *l.*
Fagg, Sir Robert, Steyning
Fazakerley, Nicholas, Preſton
Fenwick, Robert, Lancaſter, Attorney Gen. and King's Serjeant in the Dutchy of Lancaſter
Fenwick, Nicholas, Newcaſtle upon Tyne
Finch, Hon. William, Cockermouth
Finch, Hon. John, Higham-Ferrers, King's Council
Finch, Hon. John, Maidſtone
Foley, Edward, Droitwich
Forbes, Sir Arthur, Aberdeenſhire
Forteſcue, Hon. Theophilus, Barnſtable
Fox, George, Hindon
Furneſe, Henry, Morpeth
Fydall, Richard, Boſton
Gage, Lord Viſcount, Tewkeſbury
Gibbon, Edward, Peterſfield
Gilmour, Sir Charles, Edinburghſhire
Gore, Thomas, Agmondeſham
Gower, Hon. W. Leveſon, Staffordſhire
Gower, Hon. Bap. Leveſon, Newcaſtle under Line
Grey, Lord, Leiceſterſhire
Greenville, Richard, Buckingham
Groſvenor, Sir Robert, Cheſter
Guidott, William, Andover
Gybbon, Phillips, Rye
Hamilton, Lord Arch. Queenborough, Cofferer to the Prince, and Surveyor General of Cornwall for the Prince 1200 *l.*
Hamilton, Sir James, Lanerkſhire
Harley, Edward, Herefordſhire
Harley, Robert, Leominſter
Harvey, Michael, Milborn-Port
Heathcote, Sir William, Southampton, Truſtee for Georgia
Heathcote, George, Southwark, Truſtee for Georgia
Herbert, James, Oxford City
Hill, Sir Rowland, Litchfield
Holmes, Thomas, Newtown
Hooper, Edward, Chriſt Church
Horner, T. Strangeways, Somerſetſhire
Houblon, Jacob, Colcheſter
Hume, H. Alex. Campbell, Shire of Berwick
Hungerford, Walter, Calne
Hylton, John, Carliſle
Jefferys, John, Breconſhire
Iawin, Thomas, Southwark

Irby,

Irby, Sir William, Launceſton, Chamberlain to the Princeſs 500 *l.*
Iſham, Sir Edmund, Northamptonſhire, Judge Marſhal and Lord High Admiral's Advocate
Kay, Sir John Liſter, York
Kynaſton, Corbet, Salop
Kynaſton, Edward, Biſhop's Caſtle
Knight, Thomas, Canterbury
Lechmere, Edmund, Worceſterſhire
Lee, Sir Thomas, Bucks
Lee, Doctor George, Brackley
Leſlie, Hon. Thomas Dyſert, &c. a Lieutenant of Dragoons, Half-Pay. 50 *l.*
Levinz, William, Nottinghamſhire
Limerick, Lord Viſc. Wendover, Truſtee for Georgia
Liſle, Edward, Hampſhire
Liſter, Thomas, Clitheroe
Lockwood, Richard, Worceſter
Long, Sir Robert, Wotton-Baſſet
Long, Richard, Chippenham
Lowther, Hon. Anthony, Weſtmoreland
Lyttleton, George, Okehampton, Secretary to the Prince 866 *l.* 13 *s.* 4 *d.*
Mackworth, Herbert, Cardiffe
Manners, Lord William, Newark
Marſhall, Henry, Agmondeſham
Maſter, Thomas, Cirenceſter
Maſter, Leigh, Newton
Meadows, Sidney, Taviſtock
Methuen, Sir Paul, Brackly
Moleſworth, Sir John, Newport
Monoux, Sir Humphrey, Stockbridge
Montagu, Edward, Huntingdon
Mordaunt, Sir Charles, Warwickſhire
Morgan, Sir John, Hereford
Morice, Sir William, Launceſton
Moſtyn, Sir Thomas, Flintſhire
Murray, John, Selkirkſhire
Myddleton, John, Denbigh
Nedham, Robert, Old Sarum
Newton, Sir Michael, Grantham
Newland, George, Gatton
Noel, Hon. James, Rutlandſhire
Noel, Thomas, Rutlandſhire
Noel, Wm. Stamford, King's Council
Ongley, Samuel, Bedford
Ord, Robert, St. Michaels
Oxenden, Sir George, Sandwich
Packer, Winchcomb, Berks
Packington, Sir Herbert, Worceſterſhire
Parker, Armſted, Peterborough
Parſons, Humphrey, London
Peachy, Sir John, Midhurſt
Perry, Micajah, Lord Mayor, London
Pitt, William, Old Sarum, Groom of the Bed-chamber to the Prince 400 *l.*
Pitt, John, Wareham
Pitt, Thomas, Oakhampton, a Pay-Maſter for the Coynage of Tin 300 *l.*
Playdell, Edm. Morton, Dorſetſhire
Polwarth, Lord, Berwick
Popham, Edward, Great Bedwin
Portman, Henry William, Taunton
Powel, Sir Chriſtopher, Kent
Powys, Richard, Orford
Pread, Wm. Mackworth, St. Ives
Price, Richard, Sudbury
Proby, John, Stamford
Pultney, William, Middleſex
Ramſden, Sir John, Apulby
Raſhleigh, Jonathan, Fowey
Rowney, Thomas, Oxford
Rutherford, John, Roxburghſhire
St. Aubin, Sir John, Cornwall
Sambrooke, Sir Jeremy, Bedford
Sandys, Samuel, Worceſter
Saunderſon, Sir Thomas, Lincolnſhire, Treaſurer to the Prince 1200*l.*
Scawen, Thomas, Surrey
Seymour, Francis, Marlborough
Shafto, John, Durham
Shepheard, Samuel, Cambridgeſhire
Shippen, William, Newton
Shuttleworth, Richard, Lancaſter
Sibthorp, Coningſby, Lincoln
Slingſby, Sir Henry, Knareſborough
Smith, Edward, Leiceſterſhire
Sommerſet, Lord Noel, Monmouth
Spencer, Hon. John, Woodſtock
Stanhope, Hon. Sir Wm. Bucks
Stanhope, Hon. John, Derby
Stanhope, Charles, Harwich
Stapleton, Sir William, Oxfordſhire
Stapleton, Sir Miles, Yorkſhire
Stephenſon, Edward, Sudbury
Stewart, Admiral Charles, Portſmouth, Vice-Admiral of the White 400 *l.*
Talbot, John Ivory, Wiltſhire
Taylor, William, Eveſham
Townſhend, Hon. Roger, Great Yarmouth, Capt. of Horſe 500 *l.*
Trefuſis, Robert, Truro
Vane, Hon. Henry, St. Maws
Vaughan, William, Merionethſhire
Vernon, Sir Charles, Chippen-Wichcomb
Vernon, Geo. Veneables, Litchfield
Vyner, Robert, Lincolnſhire
Waller, Edmund, Great Marlow
Waller, Harry, Chippen-Wichcomb
Warren, Borlace, Nottingham
Whitmore, Thomas, Bridgnorth
Wigley, James, Leiceſter
Willimott, Robert, London
Wodehouſe, Armine, Norfolk
Worſley, James, Newton

Wortley,

Wortley, Edward, Peterborough
Wrighte, George, Leiceſter
Wyndham, Sir William, Somerſetſhire
Wyndham, Charles, Bridgwater
Wynne, Watkin Williams, Denbighſhire
Yates, Thomas, Chicheſter

Of theſe were for the Exciſe	12
Againſt it	102
Abſent at the Exciſe	6
Choſe ſince	113
In all	233

The NAMES of thoſe who were abſent.

ANſtruther, Sir John, Shire of Fife, Maſter of the King's Works in Scotland 400 *l.*
Anſtruther, Brig. Philip, Petten-Weem, &c. A Col. of a Regiment of Foot and Lieut. Gov. of Minorca 3000 *l.*
Arſcot, Arthur, Tiverton
Aſh, Edward, Heyteſbury, Commiſſioner of Trade (abſent with Charles Pelham) 1000 *l.*
Auſten, Sir Robert, Romney
Bennett, Philip, Shaftſbury
Bowles, William, Bridport
Buckley, Lord Viſc. Beaumaris
Bunbury, Sir Charles, Cheſhire
Campbell, Sir James, Stirlingſhire, Muſter-Maſter General in Scotland 800 *l.*
Cavendiſh, Ld. Charles, Derbyſhire, Brother to the Duke of Devonſhire
Cavendiſh, Lord James, Derbyſhire, Uncle to the Duke of Devonſhire
Clarke, Sir Thomas, Hertford
Cocks, James, Ryegate
Cockburne, John, Heddingtonſhire
Conyers, Edward, Eaſt-Grinſtead
Corbet, Sir Richard, Shrewſbury
Croſs, Sir John, Leſtwithiel
Curzon, William, Clitheroe
Docminique, Charles, Gatton
Drake, Sir Francis, Borealſton
Fane, Hon. Charles, Taviſtock, (Abſent with Mr. Manſel) Envoy to the Court of Florence 1800 *l.*
Finch, Hon. Edward, Cambr. Univerſity, Envoy and Plenipotentiary in Sweden 2300 *l.*
Fitzroy, Lord Auguſtus, Thetford, Captain of a Man of War 400 *l.*
Firebrace, Sir Cordell, Suffolk
Foley, Thomas, Hereford
Foreſter, William, Wenlock
Foreſter, Brook, Wenlock, his Son
Glanville, William, Hythe, Commiſſioner of the Revenue in Ireland. Lock'd out 1000 *l.*
Gore, William, Cricklade
Haddock, Nicholas, Rocheſter, Admiral and Commander of a Fleet 2000 *l.*
Hamilton, Alexander, Linlithgowſhire
Herbert Richard, Ludlow
Hoare, Henry, New Sarum
Jolliff, Sir William, Peterſfield
Lowther, Sir Thomas, Lancaſter
Lowther, Sir James, Cumberland
Lumley, Hon. John, Arundell, Groom of the Bed-chamber to the Prince, and Col. in the Guards 900 *l.*
Manſel, Hon. Buſſy, Glamorganſhire, Abſent with Mr. Fane)
Montagu, Charles, St. Germains, Auditor to the Prince and County of Cornwall 500 *l.*
More, Robert, Biſhop's-Caſtle
Neal, John, Coventry, his Wife Dreſſer to the late Queen 300 *l.*
Northcote, Sir Henry, Exeter
Oglethorpe, James, Haſlemere, General and Commander of his Majeſty's Forces in Georgia, and Colonel of a Regiment 1200 *l.*
Onſlow, Hon. Richard, Guildford, Son to the Lord Onſlow Teller of the Exchequer
Pelham, Charles, Beverley, Abſent with Edw. Aſh
Pelham, Thomas Lewis, Commiſſioner of Trade 1000 *l.*
Perrott, Henry, Oxfordſhire
Philips, Sir Eraſmus, Haverfordweſt
Plumber, William, Hertfordſhire
Plumber, Walter, Apulby
Pottenger, Richard, Reading, Welch Judge 500 *l.*
Rol'e, Henry, Devon
Speke, George, Wells
Stuart, Col. James, Air, &c. a Col. in the Foot-Guards, Gent. Uſher and Daily Waiter, &c. 650 *l.*
Sutton, Sir Robert, Grimſby
Tower, Chriſtopher, Ayleſbury, Truſtee for Georgia
Tuckfield, Roger, Aſhſburton
Watts, Thomas, St. Michael
Wentworth, Sir Wm. Malton, his Brother a Col. of a Regiment of Foot
Wilſon, Daniel, Weſtmoreland

The Pro's with Chairm. and Teller	262
The Contra's, with Tell. 1 miſ-told	234
Thoſe that were abſent	62
In all	558

Number of Employments 234
Annual Value —— £12956 *l.* 13 *s.* 4 *d.*

A LIST

A LIST of the Members who voted For the PLACE-BILL, *January* 29, 1739-40.

MR. Sandys } Yeas
Mr. Harley } 206.

County of Bedford.
Sir Roger Burgoyne
Town of Bedford.
Sir Jer. Vanak. Sambrooke
Samuel Ongley
Berks.
Winchombe Packer
Penyſton Powney
Reading.
John Blagrave
Bucks.
Sir Thomas Lee
Buckingham.
Richard Greenville
Chipping Wicomb.
Sir Charles Vernon
Harry Waller
Agmondeſham.
Henry Marſhal
Thomas Gore
Great Marlow.
Edmund Waller
Town of Cambridge.
Sir John Hynd Cotton
Gilbert Affleck
County of Cheſter.
Charles Cholmondeley
City of Cheſter.
Sir Robert Groſvenor
Sir Charles Bunbury
Cornwall.
Sir William Carew
Sir John St. Aubyn
Launceſton.
Sir William Morrice
Sir William Irby, Chamberlain to the Princeſs
Leſkard.
Richard Eliot, Receiver-General to the Prince
Truro.
Robert Trefuſis
Fowey.
Jonathan Raſhleigh
St. Michael.
Thomas Watts
Robert Ord
Newport.
Sir John Moleſworth
St. Maws.
Hon. Henry Vane
City of Carliſle.
John Hylton

TELLERS for the BILL.
Cockermouth.
Hon. William Finch
County of Derby.
Lord Charles Cavendiſh
Town of Derby.
Lord James Cavendiſh
Hon. John Stanhope
Exeter.
Sir Henry Northcote
Oakhampton.
Thomas Pitt
George Lyttleton
Barnſtaple.
Theophilus Forteſcue
Honiton.
Sir William Courteney
Taviſtock.
Hon. Charles Fane
Sidney Meadows
Dorſetſhire.
George Chaſin
Dorcheſter.
John Browne
Bridport.
William Bowes
Wareham.
Henry Drax
John Pitt
Durham.
John Hedgworth
City of Durham.
John Shafto
Eſſex.
Sir Robert Abdy
Thomas Bramſton
Colcheſter.
Jacob Houblon
County of Glouceſter.
Hon. Ben. Bathurſt
Thomas Cheſter
City of Glouceſter.
Benjamin Bathurſt
Cirenceſter.
Thomas Maſter
Hon. Henry Bathurſt
Tewkſbury.
Lord Viſcount Gage
County of Hereford.
Edward Harley
Velters Cornewall
City of Hereford.
Sir John Morgan
Thomas Foley
Leominſter.
Robert Harley
Weobley.
Sir John Buckworth
County of Hertford.
Charles Cæſar
St. Albans.
Thomas Aſhby
Borough of Huntingdon.
Edward Montagu
Kent.
Sir Edward Dering
Sir Chriſtopher Powell
Canterbury.
Thomas Knight
Queenborough.
Lord Archibald Hamilton, Cofferer to the Prince, and Surveyor General of Cornwall.
County of Lancaſter.
Peter Bold
Borough of Lancaſter.
Robert Fenwick
Preſton.
Nicholas Faſakerley
Newton.
William Shippen
Wygan.
Earl of Barrymore
Clitheroe.
Thomas Liſter
County of Leiceſter.
Lord Guernſey
Edward Smith
Borough of Leiceſter.
George Wright
James Wigley
County of Lincoln.
Robert Vyner
City of Lincoln.
Coningſby Sibthorp
Boſton.
Richard Fydell
Stamford.
William Noel
John Proby
Grantham.
Lord Viſcount Tyrconnel
Sir Michael Newton
Middleſex.
William Pulteney
City of London.
Sir John Barnard
Humphrey Parſons
Micajah Perry
Robert Willimot

Borough of Monmouth.
Lord Charles Noel Somerſet
Norfolk.
Sir Edmund Bacon
Armine Woodhouſe
Great Yarmouth.
Roger Townſhend
Caſtlerifing.
Lord Andover
County of Northampton.
Sir Edmund Iſham
Thomas Cartwright
Peterborough.
Edward Wortley
Town of Northampton.
Hon. George Compton
Brackley.
George Lee, Doctor of Laws
Northumberland.
Sir William Middleton
Newcaſtle upon Tyne.
Nicholas Fenwick
Walter Blackett
Morpeth.
Henry Furneſe
Berwick.
Lord Viſcount Polwarth
County of Nottingham.
William Levinz
Town of Nottingham.
Borlace Warren
Eaſt Redford
Sir Robert Clifton
Newark upon Trent.
Lord William Manners,
County of Oxford.
Sir James Daſhwood
Univerſity of Oxford.
Lord Viſcount Cornbury
Edward Butler, Dr. of Laws
City of Oxford.
Thomas Rowney
James Herbert
Woodſtock.
James Dawkins
Rutland.
Hon. James Noel
Thomas Noel
Salop.
Sir John Aſtley
Corbet Kynaſton
Biſhopſcaſtle.
Edward Kynaſton
County of Somerſet.
Sir William Wyndham
Briſtol.
Sir Abraham Elton
Edward Southwell
Minehead.
Thomas Carew
Milbourn Port.
Michael Harvey
Town of Southampton.
Sir William Heathcote
Peterſfield.
Edward Gibbon
Stockbridge.
Hon. John Berkeley
Sir Humphrey Monoux
Newton.
James Worſley
Chriſt-church.
Edward Hooper
County of Stafford.
Sir Walter Bagot
Hon. Wm. Levenſon Gower
Lichfield.
Sir Rowland Hill
George Venables Vernon
Stafford.
Lord Viſcount Chetwynd
William Chetwynd
Newcaſtle under Line.
Hon. Baptiſt Leveſon Gower
Tamworth.
Charles Coates, Doctor of Phyſick
County of Suffolk.
Sir German Davers
Orford.
Richard Powys
Sudbury.
Richard Price
Edward Stephenſon
Surry.
Thomas Scawen
Southwark.
Thomas Inwen
George Heathcote
Ryegate.
James Cocks
Gatton.
Geo. Newland, Dr. of Laws
Chicheſter.
Thomas Yates
Midhurſt.
Sir John Peachey
Thomas Bootle
Steyning.
Lord Marquis of Caernarvon
Sir Robert Fagg
Eaſt-Grinſtead.
Edward Conyers
Arundel.
Garton Orme
Warwickſhire.
Hon. Edward Digby
Sir Charles Mordaunt
Coventry.
John Neale
Town of Warwick.
Thomas Archer
Henry Archer
Apulby.
Walter Plumer
Worceſterſhire.
Sir Herbert Packington
Edmund Lechmere
City of Worceſter.
Samuel Sandys
Richard Lockwood
Droitwich.
Edward Foley
Eveſham.
Sir John Ruſhout
William Taylor
Wiltſhire.
John Ivory Talbot
New Sarum.
Peter Bathurſt
Hindon.
George Fox
Weſtbury.
John Bance
Chippenham.
Edward Baynton Rolt
Cricklade.
William Gore
Bedwin.
Edward Popham
Luggerſhall.
Peter Delme
Daniel Boone
Old Sarum.
Willliam Pitt
Wotton Baſſet.
Sir Robert Long
Marlborough.
Francis Seymour
John Crawley
County of York.
Sir Miles Stapylton
City of York.
Sir John Lyſter Kaye
Knareſborough.
Sir Henry Slingſby
Rippon.
Thomas Duncombe
Richmond.
John Yorke
Beverly.
Charles Pelham
Northallerton.
Henry Peirſe
Sandwich.
Sir George Oxendon
Rye.
Phillips Gybbon

WALES.

Brecon.
John Jeffreys
Denbigh.
Sir Wat. Williams Wynne
Town of Denbigh.
John Myddleton
Flint.
Thomas Moſtyn
Glamorganſhire.
Hon. Buſſy Manſel
Merioneth.
William Vaughan
Montgomeryſhire.
Hon. Price Devereux

SCOTLAND.

Sir Arthur Forbes
Hon. Hume-Campbell
Hon. James Erſkin
Sir Charles Gilmour
Hon. Thomas Leſlie
Sir James Hamilton
Alexander Cunningham
John Murray
Hon. William Dalrymple

A LIST of the Members who voted againſt the PLACE-BILL, *January* 29, 1739-40.

TELLERS againſt the BILL.

MR. Winnington } Noes
Mr. Speke } 222

County of Bedford.
Sir Rowland Alſton
New Windſor.
Lord Sidney Beauclerk, Vice-Chamberlain to his Majeſty
Wallingford.
William Hucks, the King's Brewer
Abingdon.
Robert Hucks, Son to ditto
Ayleſbury.
Sir George Champion
Wendover.
John Hampden, Commiſſary of the Stores at Gibraltar
Great Marlow.
Sir Thomas Hoby
Cambridgeſhire.
Samuel Shepheard
Henry Bromley, Lieutenant of the County
Univerſity of Cambridge.
Honourable Edward Finch
Leſkard.
George Dennis, Comptroller of the Lotteries
Leſtwithiel.
Richard Edgcumbe, Joint Treaſurer of Ireland
Bodmyn.
John Laroche
Saltaſh.
Lord Glenorchy
Thomas Corbett, Under-Secretary to the Admiralty
Camelford.
Col. Cholmondeley, Lieut. Governor of Cheſter Caſtle, and Lieutenant Colonel of Horſe-Guards.
Sir Thomas Lyttleton, Lord of the Admiralty
Weſtlow.
John Strange, Sollicitor General
Grampound.
Thomas Hales, Clerk of the Board of Green-Cloth
Thomas Treſuſis, Captain of a Man of War
Eaſtlow.
Cha. Longueville, Auditor to the late Queen, beſides his other Employments
Samuel Holden, Director of the Bank
Penryn.
Sir Richard Mill
John Clavering, Groom of the Bedchamber to his Majeſty
Tregony.
Henry Penton
Joſeph Gulſton, Director of the South Sea Company
Boſſiney.
Lord Viſcount Palmerſton, Chief Remembrancer in the Court of Exchequer in Ireland
Hon. Peregrine Poulett, Brother to a Lord of his Majeſty's Bechamber
St. Ives,
Sir Robert Rich, Groom of the Bedchamber, and Colonel of a Regiment of Dragoons
Fowey,
William Wardour, his Brother, Lieutenant-Colonel in the Horſe Guards
St. Maws,
Richard Plumer, Commiſſioner of Trade
Kellington.
Thomas Coplefton, Clerk of the Quit-Rents and Forfeiture-Office in Ireland
Iſaac Leheup, Brother-in-law to Mr. Horace Walpole, his Brothers and Relations provided for
Cumberland.
Sir Joſeph Pennington, his Son, by his Surrender, Comptroller of the Exciſe-Caſh
City of Carliſle.
Hon. Charles Howard, Colonel of a Regi-

ment of Foot, and Deputy Governor of Carliſle Caſtle

Exeter.

Thomas Balle

Totneſs.

Sir Charles Wills, Colonel of the firſt Regiment of Foot Guards, and Lieutenant-General of Foot and Ordnance

Joſeph Danvers

Plymouth.

Captain John Vanbrugh

Arthur Stert, Commiſſary for ſettling the Merchants Loſſes by the Spaniards, ever ſince the Year 1728

Plympton.

Tho. Clutterbuck, Lord of the Admiralty

Thomas Walker, Surveyor General of the Crown Lands

Honiton.

Sir William Yonge, Secretary at War

Aſhburton.

Thomas Bladen

Clifton-Dartmouth.

George Treby, Maſter of the Houſhold; ſince made one of the Commiſſioners of the Treaſury

Walter Carey, Clerk of the Green-Cloth, and of the Council

Berealſton.

John Briſlow, Deputy Governour of the South Sea Company

Tiverton.

Arthur Arſcott

Dudley Rider, Attorney-General

Pool.

George Trenchard

Thomas Wyndham

Lyme Regis.

John Scrope, Secretary to the Treaſury

Henry Holt Henly, Clerk of the Pipe

Weymouth.

George Doddington, of Horſington

Thomas Pearſe, Commiſſioner of the Navy

John Tucker, a Grant to his Father of the Portland Quarries

John Olmius

Shaftſbury

Stephen Fox, Joint Secretary of the Treaſury

City of Durham.

Henry Lambton

Malden

Martin Bladen, Commiſſioner of Trade

Benjamin Keene, late Envoy in Spain

City of Glouceſter.

John Selwyn, late Receiver General of the Cuſtoms, ſurrendered to his Brother, and Treaſurer to the late Queen

Leominſter.

Sir George Caſwall

Weobley.

[illegible]es Cornwall, Capt. of a Man of War

Borough of Hertford

Sir Thomas Clarke

Nathaniel Braſſey

County of Huntingdon.

Charles Clarke

Borough of Huntingdon.

Brigadier Roger Handaſyd, Col. of a Reg. of Foot, and Governor of Fort Philip.

Canterbury,

Sir Thomas Hales, his Son, Clerk of the Board of Green-Cloth

Rocheſter.

David Polhill, Keeper of the Records in the Tower

Maidſtone.

Captain Robert Fairfax

Wm. Horſemonden Turner

Preſton.

Sir Henry Houghton, Judge Advocate

Wygan.

Sir Roger Bradſhaigh

Liverpool.

Thomas Brereton, Commiſſioner of the Victualling

Richard Gildart, his eldeſt Son Receiver General of the Land-Tax for the County of Lancaſter

City of Lincoln.

Charles Monſon, Deputy Paymaſter of the Army

Great Grimſby.

Robert Knight, Son to the late Caſhier of the South Sea Company

Weſtminſter.

Lord Sundon, Commiſſioner of the Treaſury

Sir Charles Wager, Firſt Commiſſioner of the Admiralty, and Admiral of the White

Monmouth.

Char. Hanbury Williams, Paymaſter of the Marines

Norwich.

Horatio Walpole, Ambaſſador Extraordinary, and Miniſter Plenipotentiary to the States General, Cofferer to his Majeſty, and Auditor Gen. to the Plantations, &c. &c.

Thomas Vere

Lynn Regis.

Sir Robert Walpole, Chancellor of and Under-Treaſurer of the Exchequer, Commiſſioner of the Treaſury, &c. &c. &c.

Sir Cha. Turner, Commiſſioner

Great Yarmouth.

Edward Walpole, Secretary to the Treaſury in England, and Secretary to the Lord Lieutenant of Ireland

Thetford.

Lord Auguſtus Fitzroy, Captain of a Man of War

Charles Fitzroy, Maſter of the Tennis-court, and Cornet of Horſe

Caſtlerising.

Caſtlerifing.

Major General Churchill, Groom of the Bed-chamber, Colonel of a Regiment of Dragoons, and Governor of Plymouth

Northumberland.

Ralph Jenniſon, Maſter of the Buck-hounds

Morpeth.

Sir Henry Liddell

County of Nottingham.

Hon. John Mordaunt

Town of Nottingham

John Plumtree, Treaſurer to the Ordnance

Newark upon Trent.

Thomas Pelham, Secretary to the Lord Chamberlain

Banbury.

Lord Viſcount Wallingford, Major in the Horſe Guards

Town of Shrewſbury.

Sir Richard Corbett

William Kinaſton, Maſter in Chancery, his Brother Sollicitor of the Cuſtoms

Ludlow.

Henry Arthur Herbert, Lieutenant of the County of Salop.

Wenlock.

William Forreſter, ſenior

William Forreſter, junior

Bath.

Lieutenant General Wade, General of his Majeſty's Forces in Scotland, Col. of a Regiment of Horſe, and Governor of Fort-William

Wells.

William Piers, his Son in the Army

George Speke.

Taunton.

Francis Fane, King's Council, and Council to the Board of Trade

Bridgewater.

George Doddington, Lord of the Treaſury

Minehead.

Francis Whitworth, Surveyor-General of his Majeſty's Foreſts

Ivelcheſter.

Sir Robert Brown

Charles Lockyer

Milbourn Port.

Thomas Medlycott

County of Southampton.

Lord Harry Powlett, Lord of the Admiralty

Winchester.

George Bridges

Town of Southampton.

Thomas Lee Dummer, a Place in the Wardrobe

Portſmouth.

Admiral Stewart

Yarmouth.

Thomas Gibſon, Caſhier to the Pay-Office

Newport.

Lord Boyne, Commiſſioner of the Revenue in Ireland

George Huxley, Commiſſary of the Muſters

Chriſt-Church.

Joſeph Hinxman, Woodward and Keeper of New Foreſt

Lymington.

Maurice Bocland, Capt. of the Foot Guards

Whitchurch.

Col. John Mordaunt, Equerry to the King

John Selwin, junior, Treaſurer to the Duke and Princeſſes, and the Reverſion of two Places in the Weſt-Indies

Newcaſtle under Line.

John Lawton

Tamworth.

Ld. John Sackville, Cap. of a Com. of Foot

Ipſwich.

Samuel Kent, Diſtiller to the Court

Orford.

Brigadier General John Cope

Aldborough.

George Purvis, Comptroller of the Navy

Eye.

Hon. Stephen Cornwallis, Colonel of a Regiment of Foot

Hon. John Cornwallis

St. Edmundſbury.

Hon. Tho. Hervey, Surveyor of his Majeſty's Gardens and Water-works

Guilford.

Hon. Richard Onſlow, Son to Lord Onſlow, Teller of the Exchequer.

Colonel Richard Onſlow, Adjutant-General

Blechingley.

Kendrick Clayton

Rygate.

John Harvey

Haſlemere.

Peter Burrell, Sub-Governour of the South-Sea Company

Suſſex.

Rt. Hon. Henry Pelham, Paymaſter of the Army

James Butler

Chicheſter.

Hon. James Brudenell, Commiſſioner of Trade, Groom of the Bed-chamber, and Gentleman of the Horſe to his Majeſty

Horſham.

Charles Eversfield

Colonel Charles Ingram

Lewes.

John Morley Trevor

Shoreham.

Thomas Frederick

John Philipſon, Commiſſioner of the Navy

Bramber.

Sir Harry Gough

Harry

Harry Gough, Director of the Eaſt-India Company

Eaſt Grinſtead.

Earl of Middleſex, Son to the Ld Steward

Arundel.

Sir John Shelly, his Brother a Commiſſioner of the Stamps

Coventry.

Lord Euſton, Son to the Lord Chamberlain

Droitwich.

Tho. Winnington, Commiſ. of the Treaſury

Bewdley.

Brigadier Bowles

Wilton.

Hon. Robert Herbert, Commiſ. of Trade

Hon. William Herbert, Colonel in the Foot Guards

Downton.

Joſeph Wyndham Aſhe

Hindon.

Henry Fox, Surveyor of his Majeſ. Works

Heytesbury.

Edward Aſhe, Commiſſioner of Trade

Pierce Acourt, two Brothers in the Guards

Calne.

William Duckett, Lieutenant Colonel in the Horſe Guards

Walter Hungerford

Devizes.

Sir Joſeph Eyles, Brother to the Poſt-maſter General, and Remitter for the Crown

Francis Eyles, Commiſſary for the Victualling

Malmesbury.

Giles Earle, Commiſſioner of the Treaſury

William Rawlinſon Earle, Clerk of Deliveries in the Ordnance Office

Cricklade.

Sir Thomas Read, Clerk of the Board of Green-cloth

Bedwin.

William Sloper, Deputy Cofferer

City of York.

Edward Thompſon, Commiſſioner of the Revenue in Ireland

Kingſton upon Hull.

George Crowle, Commiſſioner of the Navy

Henry Maiſter

Knareſborough.

Rich. Arundell, Maſter-worker of the Mint

Scarborough.

Will. Thompſon, Commiſ. of the Victualling

William Oſbaldeſton

Richmond.

Sir Conyers Darcy, Compt. of the Houſhold

Boroughbridge.

Major Gen. Tyrrel, Gov. of Tilbury Fort

Geo. Gregory, Store-keeper of the Ordnance

Malton.

Hon. Hen. Finch, Receiver General of the Revenues in Minorca

Thirſke.

Sir Tho. Frankland, Commiſ. of the Admiralty

Aldborough.

John Jewkes

Andrew Wilkinſon

Beverley.

Ellerker Bradſhaw

Northallerton.

Leonard Smelt, Clerk of the Ordnance

Pontefract.

Lord Viſcount Galway, Commiſſioner of the Revenue in Ireland

Haſtings.

Thomas Pelham, Son to the Commiſſioner of Trade

Dover.

David Papillon

Thomas Revell, Commiſſioner of the Victualling, and Contractor for Gibraltar

Sandwich.

Joſiah Burchett, Secretary of the Admiralty

Hyeth.

Hercules Baker, Treaſurer of Greenwich Hoſpital

William Glanville, Commiſſioner of the Revenue in Ireland

Rumney.

Stephen Biſſe, Commiſſioner of the Victualling

Rye.

Sir John Norris, Vice-Admiral of England, and Admiral of the Red

Winchelſea.

Edmund Hungate Beaghan

Robert Briſtow

Seaford.

Sir William Gage

Will. Hay, Commiſſioner of the Victualling.

WALES.

Town of Brecon.

John Talbot, a Welch Judge

Cardigan.

Walter Lloyd, Attorney-General in Wales

Town of Cardigan.

Richard Lloyd

Town of Caermarthen.

Arthur Bevan

Town of Caernarvon.

Thomas Wynne, Clerk of the Board of Green Cloth

Town of Flint.

Sir George Wynne, a Grant from the Crown of the Mines in Flintſhire for 32 Years

Town of Montgomery

William Corbett

Pembrokeſhire.

John Campbell, Commiſ. of the Admiralty

Pembroke.

William Owen

Town of Radnor

Thomas Lewis, a Place in the Cuſtoms held by his Brother

SCOTLAND.

James Abercrombie, Captain of Foot, and

and King's Painter in Scotland, and Deputy Governor of Stirling Caſtle
William Stuart, Paymaſter of Foreign Penſions, and principal King's Remembrancer in Scotland
Charles Areſkine, Lord Advocate of Scotland
Patrick Lindeſay
Alexander Brodie, Lyon King at Arms
Duncan, Urquhart, Lieut. in the Foot Guards
Peter Halket, Captain of Foot
William Maule
John Drummond, Commiſſary for ſettling the Trade in the Netherlands
John Mawle
Sir James Grant, a Grant of Duties in Scotland
John Falconer
Patrick Heron, his Son a Comp. in Georgia
Sir Robert Laurie
Hon. James Carmichael, Brother to the Earl of Hyndford, a Lord of the Police, and Commiſſioner to the General Aſſembly in Scotland
Alexander Hamilton
Alexander Brodie, his brother, a Company in New York
Hon. Robert Douglas, Captain of a Company of Foot
Sir James Naſmith
Ld. John Murray, Col. in the Foot Guards
Hugh Roſe
Sir Robert Monro, his Brother an Independent Company
James Fall, a Leaſe in Holy Iſland
Colonel St. Clair
Colonel James Steuart.

MEMBERS abſent.

Lord Vere Beauclerk	New Windſor
Henry Grey	Reading
Thomas Tower	Wallingford
Sir William Stanhope	Bucks
George Chamberlayne,	Buckingham
Chriſtopher Tower	Ayleſbury
Lord Limerick	Wendover
John Crew	Cheſhire
Thomas Townſhend,	Univerſity of Cambridge
John Croſs	Leſtwithiel
Kellond Courtenay	Truro
Sir John Heathcote	Bodmyn
John Elwyn, John Harris	Helſton
John Owen	Weſtlow
William Mackworth Praed	St. Ives
Lord Baltimore, Charles Montague	St. Germans
Nicholas Herbert	Newport
Sir James Lowther	Cumberland
Edward Curwen	Cockermouth
Sir Nathaniel Curzon	Derbyſhire
Henry Rolle, John Bamfyld	Devonſhire
Sir John Chicheſter	Barnſtaple
Joſeph Taylor	Aſhburton
Sir Francis Drake	Berealſton
Edmund Pleydell	Dorſetſhire
Robert Browne	Dorcheſter
Solomon Aſhley	Bridport
Philip Bennet	Shaftſbury
John Banks, John Bond	Corfcaſtle
George Bowes	Durham
Matthew Martin	Colcheſter
Charles Stanhope, Catteret Leathes	Harwich
Robert Tracy	Tewkſbury
William Plumer	Hertford C.
Sir Thomas Aſton	St. Albans
Robert Pigot	Huntingdon C.
Admiral Haddock	Rocheſter
Richard Evans	Queenborough
Richard Shuttleworth	Lancaſter C.
Sir Thomas Lowther	Lancaſter B.
Legh Maſter	Newton
William Curzon	Clitheroe
Sir Thomas Saunderſon	Lincolnſhire
Albemarle Bertie	Boſton
Sir Robert Sutton	Grimſby
Sir Francis Child	Middleſex
Thomas Morgan	Monmouth C.
Armſted Parker	Peterborough
William Wilmer	Northampton
Sir Paul Methuen	Brackley
John Finch	Higham Ferrers
George Liddell	Berwick
John White	Eaſt Retford
Henry Perrot	Oxfordſhire
John Spencer	Woodſtock
Thomas Whitmore, Grey James Grove	Bridgnorth
Richard Herbert	Ludlow
Robert More	Biſhopſcaſtle
Thomas Horner	Somerſetſhire
John Codrington	Bath
William Portman	Taunton
Edward Liſle	Southampton C.
Pawlet, St. John	Wincheſter
Anthony Chute	Yarmouth
Sir William Jolliff	Petersfield
Thomas Holmes	Newtown
Sir John Cope	Lymington

William

